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OFFICIAL REPORT
(HANSARD)

Wednesday, June 10, 1998

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Wednesday, June 10, 1998

The House met at 2 p.m.

Prayers

• (1400)

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Bruce—Grey.

[*Editor's Note: Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

THE UKRAINIAN FAMINE

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, the Ukrainian community in my riding of Parkdale—High Park and Ukrainians worldwide are commemorating the 65th anniversary of the 1932-33 famine in the Ukraine. This famine is considered to be the largest famine of the 20th century and one in which some seven million Ukrainians perished.

In 1932, under Soviet leader Joseph Stalin, the Soviet Union dramatically increased its grain procurement. Wheat grown on Ukrainian farms was shipped to Russia and as a result many Ukrainians were unable to feed themselves.

Soviet leaders, backed by the military and secret police units, seized all food in an attempt to break the spirit of independent-minded Ukrainians. Large parts of the Ukraine were blockaded, with no food being allowed in and no one being allowed out.

Only after the fall of the Soviet Union in the 1980s did information on this terrible human tragedy come to the world's attention.

I join today with members of the Ukrainian community and all Canadians in recognizing and remembering this man-made famine that killed seven million Ukrainians.

ABORIGINAL AFFAIRS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, the situation on the Pacheedaht Reserve in my riding is desperate. Band members have begged for over a year for the department of Indian affairs to investigate allegations of the gross misappropriations of funds and lack of accountability. For example: $1.8 million from Parks Canada, misappropriated; $1.3 million for treaty negotiations, misappropriated; $47,000 for suicide prevention, misappropriated; septic fields draining into the water table; social assistance and pension fraud.

The minister's response? Go to the RCMP. The RCMP, however, cannot investigate. The result is that the Pacheedaht people are caught in a vicious cycle with deteriorating third world social conditions and nowhere to turn.

The government has tossed money at these aboriginal people without accountability. The result is an abuse of the grassroots people.

I challenge the minister to listen to the aboriginal people, do independent audits and help those grassroots people right now.

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[*Translation*]

ABITIBI

Mr. Guy St-Julien (Abitibi, Lib.): Mr. Speaker, on June 13, Abitibi will celebrate the 100th anniversary of the annexation of its territory to Quebec.

Until 1867, the Abitibi region was part of the Northwest Territories. Negotiations were then initiated between the provinces and the federal government concerning disposition of the northern regions of the country.

On June 13, 1898, the Canadian government gave a favourable response to the Quebec government's request, and the territories of Abitibi and Mistissini were annexed through legislation.

The matter took 25 years to bring to a conclusion, and as a result, Quebec acquired an additional 168,749 square kilometers.

This region, which is renowned for its mining and forestry activities, plays an important role in the economic history of Quebec and Canada.

My best wishes to all those who will be organizing activities throughout the summer to mark this important anniversary.

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[*English*]

QUEBEC

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, Canada is not the segregated United States of yesteryear when government officials at all levels conspired to defraud black Americans of their democratic and constitutional right to vote in any election, including school board elections. The segregationists used every trickery in the book to ensure that southern blacks could not get their names onto voters' lists.

Elections for the linguistic school boards are taking place right now in Quebec and thousands of English-speaking Quebeckers are being cheated out of their right to vote for the English school boards because of the Péquiste government's ill thought out voter registration process.

I call on all of my colleagues, including the Bloc MPs, to join their voices with mine in denouncing this election debacle and in calling on the Quebec government to ensure that all Quebeckers can cast their votes on June 14 in the elections of our linguistic school boards.

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[*Translation*]

CANADIAN EDUCATION SERVICES

Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.): Mr. Speaker, on May 8, a round table was held at York University in Toronto, focussing on the commercialization of Canadian education services. The Minister for International Trade co-chaired this event.

Participants included representatives of national education associations, of provincial bodies, of private and public institutions at all levels, of the council of ministers of education and of the provincial education ministers, including the Quebec minister, as well as federal officials.

This event is noteworthy because it paves the way for enhanced exchanges between all suppliers of education and training in Canada as well as some partners on the international level.

Familiar as I am with what Canada has accomplished in education and with the huge potential for international exchange and co-operation in this area, I believe this initiative by the Minister for International Trade will stimulate the implementation of numerous partnerships aimed at the commercialization of our expertise in education, both here and elsewhere.

This is one more piece of good news for both our economy and our entrepreneur-educators.

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● (1405)

[*English*]

ABORIGINAL AFFAIRS

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, as a result of the Delgamuukw decision, the entire land mass of British Columbia is now subject to land claims.

The entire legal jurisdiction of the B.C. government over its aboriginal citizens and its natural resources has been challenged. In other words, the foundations of the provincial government have been shaken. What is the federal government doing?

The budgetary estimates for the coming years show reduced spending on land claims by the department of Indian affairs in the order of over $200 million by the year 2001. These estimates do not show one single dollar being allotted for any contingent liability which might arise from the Delgamuukw decision.

I urge the government to address this problem as soon as possible. Get on with the job.

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[*Translation*]

TRICENTENNIAL OF MAISON SAINT-GABRIEL

Mr. Raymond Lavigne (Verdun—Saint-Henri, Lib.): Mr. Speaker, a page of our history was written this past year in southwestern Montreal, in Pointe-Saint-Charles, in my beautiful riding of Verdun—Saint-Henri.

Maison Saint-Gabriel is 300 years old this year. This house, built by François LeBer and bought by Marguerite Bourgeois in 1668, was used both as a farm house and a residence for ''les filles du Roy''.

Thanks to the partnership between Heritage Canada and Maison Saint-Gabriel, activities depicting everyday life in those days will be held every Sunday as part of the 300th anniversary celebrations.

As the member of Parliament representing Pointe-Saint-Charles, allow me to congratulate all the organizers on showing us this part of our heritage, and particularly Madeleine Juneau, who was a driving force behind this project.

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CITY OF L'ANCIENNE-LORETTE

Mr. Jean-Paul Marchand (Québec East, BQ): Mr. Speaker, I live in the city of L'Ancienne-Lorette, in the riding of Québec East, which I represent.

In 1650, the Hurons, driven out by the Iroquois, left my home town of Penetanguishene to come and settle in L'Ancienne-Lorette, which Father Chaumonot, a Jesuit, founded in 1673.

Our city is celebrating this year the 325th anniversary of its founding, a historical event that took place under the French regime.

Throughout the month of June, a number of activities will be held to give the residents of L'Ancienne-Lorette the opportunity to celebrate this 325th anniversary. People can have fun and learn about the past by visiting an exhibition of old photographs, finding out about the life of Father Chaumonot and participating in other activities.

I congratulate everyone who helped organize these celebrations and wish a happy 325th anniversary to all the residents of L'Ancienne-Lorette.

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[*English*]

THE LATE PETER WONG

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, I stand today to pay tribute to the late Peter Wong, chairman of the regional municipality of Sudbury.

Mr. Wong held the distinction of being the first elected chairman of my region.

This position was the culmination of a long and successful career of public service as a school board trustee and mayor of the city of Sudbury.

In his public life, Mr. Wong possessed a leadership style that cultivated the trust, loyalty and respect of his peers and constituents. Everyone who met and worked with Peter knew they were dealing with a man true to his principles and a man unselfishly committed to his community.

In his work with various community organizations he set a benchmark that few can aspire to attain. He will be missed.

On behalf of the people of Nickel Belt and the members of the House, I offer our sincere condolences to the Wong family, his wife Lynn, daughter Nancy and son Eric.

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HEPATITIS C

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, in his continuing fight to get compensation for all Canadians who contracted hepatitis C from tainted blood, 15 year old Joey Haché will leave Halifax on his bicycle this Monday and bike across Canada.

As someone who contracted the potentially fatal liver disease from a blood transfusion, Joey is calling his journey ''The Cycle of Conscience''. Its purpose is twofold: to draw attention to the plight of hepatitis C victims callously forgotten by the Liberal government and to get a million signatures on a petition which demands that the government extend an offer of compensation to all victims of this tragedy.

● (1410)

I spoke with Joey Haché this morning and asked if there was any message he wanted to give the Prime Minister. He said to tell the Prime Minister that he will not give up until this government does the right thing, and that he is your conscience.

For those who want to wish Joey well on his journey, he will be out on the front steps of the Peace Tower today following question period.

On behalf of all members of this House, I want to wish Joey Haché good luck.

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LEUKEMIA RESEARCH

Mr. Joe Fontana (London North Centre, Lib.): Mr. Speaker, I rise today to add my support to a very worthwhile cause, leukemia research in Canada. Leukemia is a cancer of blood cells. If affects children and adults from all backgrounds and of all ages. Canadian research centres across the country have made progress extending the life expectancy of those diagnosed with leukemia. The cure rate for children is 65%. This will only continue with more support from Canadians.

The Leukemia Research Fund of Canada, a national volunteer organization, raises money to provide grants to Canadian researchers and to educate the public about the disease. For the past 42 years, thousands of volunteers have donated many hours of their time throughout the year.

This year the Governor General, His Excellency Romeo LeBlanc, has given his support to this worthwhile cause. I am asking for the support of this House for the designation of the month of June as Leukemia Research Month. I want to thank the many volunteers for their time and encourage others to join the fight against this disease. I thank them on behalf of my mother, a survivor of leukemia.

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THE UKRAINIAN FAMINE

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Mr. Speaker, almost a lifetime ago in my grandparents' home country, seven million Ukrainians starved to death at the hands of Joseph Stalin. Determined to bring the Ukraine under Soviet control, Stalin starved the very Ukrainian farmers whose grain he then shipped to Russia and sold to western countries. The food left the Ukraine, but the people were barricaded in. The results devastated and nearly destroyed an entire generation of Ukrainians. In the words of one Soviet writer, people were ''dying in solitude

in slow degrees—trapped and left to starve, each in his own home''.

Moreover, it was a crime in the Ukraine to discuss the famine. Many international observers dismissed it as a rumour until documents surfaced in the 1980s.

Canada became the new home for many Ukrainian famine survivors after the second world war. All Canadians join with them and their families as they mark this month, the 65th anniversary of the Ukrainian famine. We pledge: ''We remember. Never again''.

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[*Translation*]

ALGERIA

Ms. Hélène Alarie (Louis-Hébert, BQ): Mr. Speaker, personally and on behalf of the Canada-Algeria parliamentary group, I wish to welcome the parliamentary delegation, made up of members of Algeria's national council and headed by Bachir Boumaza.

We are pleased that the Speakers of both houses of Parliament are officially welcoming these senators, who are here to discuss with us our way of doing things. This visit will allow us to forge new ties and to strengthen existing ones.

In these difficult times for Algeria, we must not underestimate the hopes generated by the establishment of a parliament and an multiparty Senate. The fight for democracy in Algeria deserves our support.

Therefore, I invite all parliamentarians to participate in and contribute to the strengthening of Algeria's emerging democracy, and to also exchange views with our Algerian guests.

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[*English*]

THE REFORM PARTY

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, at a time when the Reform Party is telling us that Canadians are flocking to join its so-called united alternative campaign, a CTV Gallup public opinion poll tells us otherwise. The poll shows that support for Reform has now fallen behind support for the Conservatives. Only 12% of Canadians support the Reform Party, while 15% would vote for the leaderless Tories. In my own province of Ontario where Reformers keep claiming to be making inroads, support for their party is at a paltry 8%.

What can they do to reverse their situation? Perhaps they can stop alienating Canadians and back away from the redneck extremist positions they take on most public policy issues. Or, they could simply get rid of their leader and try to boost their support by convincing the hon. member for Saint John to lead the united alternative campaign.

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[*Translation*]

ACCUEIL BONNEAU

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, I rise today to offer, personally and on behalf of my colleagues, support and sympathy to those affected by the terrible tragedy at Montreal's Accueil Bonneau, yesterday.

I want to stress the excellent work this shelter has done and must continue to do with the homeless in the greater Montreal region.

In this regard, I invite Montrealers to provide financial assistance and volunteer support to help rebuild Accueil Bonneau.

I also ask both levels of government to support Montrealers in getting Accueil Bonneau back in operation as soon as possible.

• (1415)

[*English*]

Saint John, New Brunswick was also the victim of a terrible tragedy yesterday when an explosion occurred at the Irving oil refinery. My colleagues and I take this opportunity to offer our support to the victims and their families.

ORAL QUESTION PERIOD

[*English*]

NATIONAL DEFENCE

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, Ann-Margaret Dickey was a soldier in the Canadian Armed Forces.

Today she courageously stood before a press conference to allege that two years ago she was sexually assaulted four times within a 10-day period at a military base in Quebec. She said she reported these assaults to the military police and the medical people but her complaints were ignored and she has been told not to raise the issue again.

My question is for the Prime Minister. Why did Private Dickey have to go public today, revealing painful personal information in order to get this government's attention to her complaint?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is an accusation of a criminal nature and has to be dealt with by a special group called NIS, which has the responsibility for these investigations. I am informed that it is doing the investigation.

Yesterday we named somebody to receive complaints from outside the military. She decided to go public today.

I am informed that there is an inquiry about that. There will be a complete investigation. If some criminal actions have been done against her, the people will be taken to court.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, female soldiers have no faith whatsoever in either the government's commitments or its procedures for dealing with sexual harassment or assault in the military.

The minister has appointed an ombudsman and that is good. But that ombudsman's investigators are exactly the same people who told Private Dickey not to raise a fuss. The minister fixes one link in the chain but it is the chain that is the problem. How can this ombudsman do his work when the government itself just wants to sweep these problems under the rug?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of National Defence was extremely clear last week that there will be absolutely zero tolerance. We intend to make sure that these reprehensible actions will be dealt with civilly.

In 1997 we put in the national investigation service which did not exist before. That is its task. Is the member telling me that it has perhaps not performed its duty the way it should? We are looking into that but I am telling you that if there was criminal action committed by some people, they will be taken to court. On top of that, we have named the ombudsman.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, everyone in this House wants to believe that progress is being made in dealing with these complaints. They want to believe that there is zero tolerance. We want to believe that there is somebody somewhere in the government who is going to take up the concerns of rank and file soldiers and treat their complaints with dignity and with speed.

How can we believe that the government is taking any of this seriously when every day brings new allegations of wrongdoing, like those of Private Dickey?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am disturbed like anybody else.

Some hon. members: Oh, oh.

Right Hon. Jean Chrétien: Yes, I am. We put mechanisms in place but for a long time people were not coming forward. It is great that today they have the confidence to help the government make sure that that type of behaviour is not tolerated in the Canadian army.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, Ann-Margaret Dickey contacted three successive defence ministers of this government with her case, including the present defence minister. None of them gave her a satisfactory response. The ministers would not even let her know if an investigation was under way.

Why does it take a press conference in Ottawa to get a minister of this government to address such serious allegations?

● (1420)

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the national investigative process is still ongoing. It would not be appropriate to comment at this time, as all members know.

Allegations of sexual assault have been taken seriously by the Department of National Defence and what happened? The Reform Party trolls around trying to find something and bring it back here. Typical Reform Party tactics.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, Private Dickey has been attempting for two years to have her complaints looked after. For two years the response on the part of the government as well as the military has been to suppress it.

A toll-free sexual assault hotline apparently has received 40 calls in one week of operation. Ann-Margaret Dickey called this line last week and she still has not received a response. My question for the minister is, what about the other 39?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the number 39 has been thrown out but no adjectives to describe it, no adverbs put in front of the actions. How can we expect to respond to something 39?

The Private Dickey situation is clearly under investigation. We will get to the bottom of it. When the time comes, charges will be laid.

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[*Translation*]

ATLANTIC GROUNDFISH STRATEGY

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, with the situation deteriorating in eastern Quebec, Quebec's Minister of Agriculture, Fisheries and Food, Guy Julien, has just told the press that he has received no proposal from the federal government for a solution to the TAGS problem, and that there are no discussions under way right now.

How could the Minister of Human Resources Development tell the House yesterday that he was working with the provinces to find a solution, when he has just been formally contradicted by his colleague from Quebec?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I can assure members that there have been meetings between officials and that my assistant deputy

minister is in contact with several directors general and representatives of the Atlantic provinces.

The discussions are lively and are going very well, because we are determined to work together. This is a very important problem; we are aware of the difficult situation faced by fishers who must contend with greatly reduced fisheries, and this is a problem we wish to address with the provinces.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, what kind of game is the Minister of Human Resources Development playing, while an unprecedented human tragedy is taking place in eastern Quebec, the Gaspé, the Magdalen Islands and eastern Canada?

What is he up to telling us his officials are holding talks with provincial officials? Does he not get it? He is being called upon as a member of the government by fishery workers in need of the government's assistance.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, our people went to meet with provincial officials, with a specific mandate and topics to discuss regarding the communities and the people who live in those communities. We have specific matters to discuss at this point and we will be in a position to take appropriate decisions when the time is right.

I think it is entirely normal that the minister begin talks with the provinces through his officials, but we will take a decision when the time is right, once consultations are over.

[*English*]

The Speaker: Once again my colleagues, I ask you to listen to the answers rather than giving discourse throughout the answers.

[*Translation*]

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, again, a human tragedy is unfolding in eastern Canada.

In Newfoundland, in the maritimes, on the Magdalen Islands and in the Gaspé, people are vocalizing their dissatisfaction as the Atlantic groundfish strategy comes to an end.

• (1425)

Since the problem of the victims of the fishery disaster is of unprecedented scope and calls for exceptional measures, how can the minister say to us, as he did again last week, that the only plan he has in mind to help fishery workers is to draw on his government's ordinary programs?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, first I must say that our government's regular programs are excellent and have been considerably improved in recent years. Moreover, hundreds of thousands of Canadians are very happy with them.

I can assure you that license buybacks are among the options available to us. We can apply economic development measures. We can apply adjustment measures. We have options open to us and we will make sure, jointly with the provinces, that they meet the needs of the individuals and communities affected according to the priorities we have set for development.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, not only do we have ordinary measures, we have an ordinary minister.

Does the minister realize that his technocratic attitude is responsible not only for the mess the people are in but, more importantly, for all of the current social unrest in eastern Canada?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, ours was the first government to react to the very difficult situation facing the population there. In the very strained fiscal situation of the time, we invested $1.9 billion in Atlantic Canada to help the fishers and the communities, and we remain very sensitive to their concerns.

I can assure you that our compassion for what these people are experiencing is—

Some hon. members: Oh, oh.

The Speaker: The hon. leader of the New Democratic Party.

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[*English*]

ENVIRONMENT

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I have a question for the Prime Minister.

Canada agreed in Kyoto that greenhouse gas emissions reduction begins at home. It begins by cleaning up our own act. But today we have evidence that Canada is behind closed doors in Bonn promoting instead unlimited emissions trading, a massive loophole to escape responsibility for domestic emissions reductions.

What happened to Canada's Kyoto commitment? Was it a sham?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, Kyoto is taken very seriously by this government. It was not a sham. It was extremely important to Canada that we get mechanisms like trading of emissions, joint implementation, clean development mechanisms within the protocol of Kyoto.

Why would we reduce greenhouse gases at $20 a tonne if we can do so at $2 a tonne? That is why we are pursuing this avenue.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, why would we sign on to an agreement that we have no intentions of honouring? What Canadians need is not loopholes but leadership on climate change. That is what the environment commissioner is looking for as well.

Why is the government telling Canadians one thing and saying something completely different behind closed doors in Bonn?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, these allegations are absolutely ridiculous. This government is totally committed to our Kyoto protocol commitment and we will reduce by minus 6%. Trading of emissions is an important way not only for Canada to achieve its goals but for other nations around the world as well. We are showing leadership on this file.

We are concerned about the environment. We are concerned about human health and we will achieve our objectives.

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HEPATITIS C

Mr. Greg Thompson (Charlotte, PC): Mr. Speaker, Krever commission documents reveal that Health Canada allowed plasma to go unscreened until 1993 even though it was ordered to screen this product prior to that date. This order was in 1990 on the advice from doctors and the Red Cross.

Does the minister accept the fact that this product did go unscreened in that timeframe? If he does, does that not tell us that all post-1990 victims have to be compensated?

• (1430)

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, all the documents referred to in that report were before Mr. Justice Krever. He looked into all of the facts and, in fact, they were referred to in his report.

The report this morning on the radio was factually wrong in important respects. I encourage the member to look at the facts.

It was alleged that there was no action taken until 1993. In fact, Health Canada issued a directive in 1991. It said this morning that Health Canada awaited a U.S. study. That is false. Health Canada instructed manufacturers to start screening plasma a full two years before the publication of the U.S. report. The Health Canada directive was issued five months before the FDA acted.

The facts were—

The Speaker: The hon. member for Charlotte.

Mr. Greg Thompson (Charlotte, PC): Mr. Speaker, the minister is confusing the issue. What we are talking about is the responsibility of Health Canada. At the end of the day, the safety for Canada's blood supply stops at his doorstep.

Is the minister considering compensating those victims? His facts, unfortunately, disagree with what the record actually states. Again, will he consider compensating those victims outside of the previously announced package for 1986 to 1990?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the whole issue of compensation is before a working group with the provinces.

But I want the member to acknowledge that it is very important to get the facts right. The fact was improperly reported this morning. Health Canada issued a directive in 1991. We did not wait for the Americans. We were ahead of the FDA.

By the way, we have accepted the Krever recommendations on regulation. We are going to spend more money to put better regulation in place and make sure that through the Blood Safety Council we have the highest standards of safety for all Canadians because that for us is the bottom line.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the health minister says the facts were wrong in this report. The U.S. made it illegal to use hep C tainted blood in September 1991. I have the directive from the health protection branch here. It was in fact issued November 15, 1991, and it said ''effective January 1, 1993, you cannot use the blood''. The facts are straightforward.

Why did we continue to use dirty blood for that period of time?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, as I have said, all of these facts and all of these documents were before Krever. They were all gone into in detail and referred to in Volume 2 of his report.

The answer to the question is that the practice at Health Canada at the time, 1990-1991, reflected the scientific knowledge and understanding of that time.

In 1991 a directive was issued in keeping with the usual practice to get manufacturers to test plasma. That is what we did. We did it ahead of the Americans and in advance of the publication of many American reports.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I would be happy to table these documents in the House because it was illegal in the U.S. in September 1991 and it was not illegal in Canada until January 1993.

My question stands. Why did Canadian regulators, who were warned outside Canada and inside Canada, continue to use dirty blood?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I refer the member to Volume 2 of the Krever report, page 698 and following, in which Mr. Justice Krever goes through this whole

history, examines all of the facts and puts them into the context of the scientific knowledge of the day.

What I want to stress is that this government has accepted the recommendations of Krever in relation to regulation. We have established the Blood Safety Council. We are going to have the highest standards of regulation in the world because for this government safety is the bottom line.

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[*Translation*]

HEALTH CARE

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, the Minister of Health refuses to recognize his very considerable responsibility for the deterioration of Canada's health care system. His cuts are hurting everyone, whatever he says.

Why is the minister refusing to admit that all Canadians are worried about the future of health care, that they view this sector as the top priority and that they want Ottawa to invest its surpluses so as to give back to the provinces part of what the federal government has cut from their health care budget?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, health is one of this government's top priorities. That is why we have already increased health transfers to all the provinces to $12.5 billion annually.

• (1435)

We have already expressed this government's commitment to renewing and strengthening Canada's health care system. That is a priority for this government.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, we know what the situation is in Quebec. But hospitals have also been closed in Ontario. On Prince Edward Island, there is talk of using private funds to build hospitals, and I could go on.

If the federal government was as generous with the provinces as it claims to be, how does it explain that health care is a problem for all provinces at the same time and that governments are no longer able to meet the public's expectations?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, we have given a clear answer. We have said that health is our top priority.

We have already taken action in this regard with the budget brought down in February. We invested money in research and restructuring. The problem is that Quebec is investing less money than the federal government in the health sector.

[*English*]

NATIONAL DEFENCE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, approximately one month ago the defence committee, which consists of both Liberals and opposition members, met in Halifax.

On that occasion Ann Margaret Dickey approached the Parliamentary Secretary to the Minister of National Defence and told him about her concerns. He promised that he would get back to her.

My question to the parliamentary secretary is, why did he not follow up on that request?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, clearly I would be been in violation. This investigation is ongoing. It is in the hands of the national investigative service and it would be inappropriate for me to intervene at this time.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, Ann Margaret Dickey was seeking an investigation into her complaint. The parliamentary secretary's excuse is not acceptable.

What guarantee is he going to give to Ann Margaret Dickey now that this investigation is going to proceed under the direction of the NIS and the ombudsman? What guarantee is he going to give?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the allegations of sexual assault by the person named have been looked at.

The ombudsman has no position in criminal cases. It is appropriately set with the NIS. It is the channel to be used when such allegations are made. It is an ongoing situation and it is before the investigators.

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[*Translation*]

AIR TRANSPORT

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, the federal government is penalizing Air Canada with its strategy of maintaining two national carriers in Canada.

My question is for the Minister of Transport. How would allowing Air Canada to provide direct service between Montreal and Milan compromise his grand two-carrier development scheme, especially since this service is not provided by Canadian Airlines?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I have already explained that it is in the interest of all Canadians to have profitable airlines, whether it is Air Canada or Canadian Airlines.

[*English*]

For the hon. member, day after day, to take the position of one commercial carrier, I would say he is not really doing justice to those people who work for Canadian Airlines. He is not of course taking the pan Canadian view and looking at the health of the Canadian airline industry. But that is no surprise because the Bloc Quebecois traditionally only looks at narrow points of view that reflect parochial interests. In this case, when it talks about harm to Montreal, it is dead wrong.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, how would allowing Air Canada to provide direct service between Montreal and Amsterdam compromise his grand two-carrier development scheme, especially since Canadian does not even fly to the Netherlands?

[*English*]

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, we have looked at each of these routes. We have analysed it meticulously.

• (1440)

Let me draw the hon. member's attention to the fact that two years ago we had a crisis in terms of the viability of the future of two airline carriers in this country. This government stood steadfast behind competition and assisted the competitive nature of the Canadian airline industry. We are not going to penalize one of those companies in a way which would hurt its restructuring plan, in this case Canadian Airlines.

Air Canada got a lot out of these deals. He should got back to the officials at Air Canada who will tell him that they are going to make more money out of this arrangement.

* * *

ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, my question is for the Prime Minister.

Since the Delgamuukw decision was handed down aboriginals in British Columbia have laid claim to over 100% of the province. We have asked the Indian affairs minister for her position for several days and we still do not have an answer.

Can the Prime Minister tell us what the government's position is? Does he believe these claims are legitimate? Who owns British Columbia?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, British Columbia belongs to all of its citizens.

There are rights, there are interests that have to be reconciled, and in our view the best place to reconcile those interests is at the treaty table where they can be negotiated fairly, openly and in a manner of trust.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, we finally have the Indian affairs minister acknowledging that British Columbia belongs to all of its citizens.

Does she understand how important this decision is for all of Canada and what the repercussions are going to be for Newfoundland and Labrador, Quebec, Ontario, Saskatchewan and Alberta? Does she understand how important this decision is and the repercussions it will have on the rest of this country?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, clearly we understand the repercussions.

We have been at the table with all the parties in British Columbia. We are settling comprehensive claims right across this country. We are doing it in a way that is consistent with Canadian values which recognize that aboriginal rights exist, that they must be reconciled in a modern Canada and that it must be done in a fair and equitable way.

That is what the people of British Columbia want. That is what all Canadians want.

* * *

[*Translation*]

CANADIAN ARMED FORCES

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, my question is for the Prime Minister.

We learned today of another member of the military who was the victim of sexual and physical assault in the armed forces while she was stationed at Saint-Jean. She experienced a real nightmare in the face of a wall of indifference from the entire military hierarchy and from the current Minister of National Defence and his predecessors.

Does the Prime Minister intend to ask the new ombudsman to give priority to this case so that the minister may take vigorous sanctions against these sexual predators in order to put an end—

The Speaker: I am sorry to interrupt the hon. member. The Right Hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in my response earlier, I indicated that this matter was being investigated by a committee that was set up in 1997.

As everyone knows and as the member pointed out, an ombudsman, who is not a member of the military, was appointed yesterday. We believe that together he and the committee will ensure that such acts are not repeated and that those who committed criminal acts will be punished.

[*English*]

ABORIGINAL AFFAIRS

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Mr. Speaker, the office of the Minister of Indian Affairs and Northern Development has no problem releasing personal and confidential information. Yet, when it is a question of public policy, this minister refuses to release the information as to how much land claim settlements will cost Canadians.

How much will it cost British Columbians to settle the land claims issues?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, aboriginal rights have to be reconciled in British Columbia. The best place to do that is at the negotiating table where all parties who are aware of their fiscal limitations come in a very practical way to resolve those issues step by step.

It is a fiscally responsible approach. It is a Liberal approach. It is a Canadian approach. It is where we will find progress being made on this very important aspect of modern history.

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Mr. Speaker, part of Canadian history is that in the terms of union of 1871 when B.C. joined Confederation there was a constitutional commitment that all native land claims issues would be assumed by the federal government.

● (1445)

My question is for the Prime Minister and the minister of Indian affairs. Is this government going to assume the financial responsibilities for all the land claim settlement costs in British Columbia?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, we are sitting at the table with the federal crown, the provincial crown and the First Nations. Together we will reconcile aboriginal rights in British Columbia.

Is the hon. member suggesting we should legislate compensation? How much is she prepared to pay for that? They are saying we should legislate without true certainty. How much are they prepared for the lack of certainty in their approach? They say we should talk about cash, not land. How much is she prepared to put on the table?

* * *

[*Translation*]

ACCUEIL BONNEAU

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, my question is for the Prime Minister.

We were saddened to hear of the explosion at Accueil Bonneau yesterday over the noon hour, which left three persons dead and a number of its volunteers and homeless clients injured. The suffering of the victims was at least lessened by the admirable speed with which staff and passers-by intervened, as well as the rapid response by emergency services.

Can the Prime Minister tell us what the Government of Canada will be doing to help these people out?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, all of us were saddened by this tragedy affecting the most disadvantaged Montrealers. We will be making all of the government's services available to the people there in order to help them overcome these most unfortunate circumstances.

Immediately after Oral Question Period, the Minister of Human Resources Development will be leaving for Montreal to meet with the management and to offer financial and other assistance to help them through this tragedy.

* * *

[*English*]

HEPATITIS C

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the Minister of Health today does a great disservice to Justice Krever who by no stretch of the imagination recommended a two tier system of compensation for hepatitis C victims.

In a letter dated January 28, 1991 experts recommended to the government that contaminated plasma not be used for coagulation products. A decision was made anyway to use this stock for the sake of money.

Will the Minister of Health admit that the federal regulator failed to protect those infected after 1990? Will he adopt a position on hepatitis C compensation—

The Speaker: The hon. Minister of Health.

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I have responded on the factual matters to other members of the House just this afternoon. If the member wants to know what the policy of the government of the day was in relation to such tests, perhaps she ought to take it up with the party then in office.

As far as we are concerned we have adopted all the recommendations of Mr. Justice Krever. Seventeen of his 50 were in relation to regulation and safety. We have adopted them. We have every intention of putting them into effect, spending the money, the time and the energy necessary to ensure that we have the safest blood supply system in the world for the future.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, it is the hepatitis C victims who are left out in the cold.

Is the Minister of Health prepared today, before we leave this session, to give some assurances to hepatitis C victims that they will be compensated on the basis of collective responsibility and human compassion and not on the basis of the amount of money in his wallet or on the basis of legal technicalities?

Joey Haché knows that the government is wrong and he is setting out across this country to prove it. For the sake of Joey and everyone else, will the minister take action and correct the ills in the health protection branch today?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, there is a process in place between governments to look at all the options for dealing with hepatitis C victims.

Throughout this session of parliament there is a trend that has emerged from the NDP. It is to make suggestions on a daily and weekly basis, a sort of procédé du jour from the NDP. A few weeks ago it was satellites and toys that were going to endanger the health of children and that proved to be wrong. Then there was an international conspiracy in relation to drug testing which proved to be wrong. Two weeks ago it was albumin that was a threat to health and that proved to be wrong.

If the member wants to be taken seriously she should—

The Speaker: The hon. member for Madawaska—Restigouche.

* * *

● (1450)

EMPLOYMENT INSURANCE

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, unemployed Canadians across the country are continuing to suffer.

When the government introduced EI reforms in 1996, approximately 40% of the unemployed did not qualify for EI. Today as a result of that reform nearly 72% of the unemployed are on welfare because they no longer qualify for EI assistance.

Will the minister tell the House that the act must be restructured to ensure Canadians that when they need EI assistance EI will be there for them?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, first of all the number of people on welfare in Canada is the lowest that it has been in five years because of the performing economy.

Second, the member can look at his own province of New Brunswick. He will find that 80% of people in New Brunswick are covered by the employment insurance system and not the number that he mentioned this afternoon in the House for his own province.

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, there certainly seems to be confusion between Ottawa and the ridings. All local HRDC offices are of the opinion that the reforms are not effective. It is the minister's position to sit back and accept the status quo rather than to examine the shortcomings of his department.

The 1997 employment insurance monitoring assessment report failed to show what we already know, that the EI system is not working properly. Will the minister tell the House today that he will revamp the EI act and give Canadians the assistance they need when they need it?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I have been very clear on this issue.

We are well aware that after 25 years we have made the most important reform of the employment insurance system to overhaul it, update it and modernize it to better serve Canadians with the new conditions in the labour market. We will have to monitor it very closely. We are well aware of it.

This is the reason that I tabled in the House last January the first report of the impact of our EI reforms on Canadians and the unemployed. We will do it every year to make sure that the impact of our reforms serves Canadians well.

* * *

NIGERIA

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa.

The death of Nigerian dictator General Sani Abacha and his replacement by an interim leader still leaves Africa's most populous country firmly in the grip of a military junta.

Can the minister advise the House what steps the Government of Canada is going to take in the weeks and months ahead to encourage the restoration of democracy in Nigeria?

Hon. David Kilgour (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, Nigeria and its hundred million residents can be among the leaders of the renaissance across the continent of Africa.

The death of General Abacha, as I am sure my colleagues agree, provides an opportunity to open a new day for Nigeria and the Nigerian people. General Abubakar could start by releasing Chief Abiola who is now coming up to his fifth year in prison. This would be a wonderful step for Nigeria and for the entire world.

ABORIGINAL AFFAIRS

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, in a letter that I will table later, Indian affairs informs the chief of the Chemainus Band that it knows of the illegal timber harvest which is taking place on their reserve just outside of Nanaimo. Instead of enforcing its own regulations, in the same letter Indian affairs officials are offering to participate in a criminal act by helping the chief and council sell the timber from this old growth forest.

Will the minister of Indian affairs intervene and order that this timber be seized before any more is permitted to leave the reserve illegally?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I will be happy to review the circumstances surrounding this case.

* * *

[*Translation*]

CASINOS ON CRUISE SHIPS

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, my question is for the Minister of Justice.

For the past 10 years, those involved in tourism in the Quebec City region have been calling for a change to the Criminal Code to allow casinos on cruise ships to operate until an hour prior to arrival in port at Quebec City, instead of having to cease operations as soon as they enter the Gulf of St. Lawrence.

Does the minister not see that the federal inaction in such a simple matter is depriving the entire Quebec City region of sizeable economic spin-offs, as it has for the past 10 years.

We are asking her to do something, for once and for all. When will she be taking action?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as a government we understand the importance of this aspect of tourism to the province and people of Quebec. In fact I will be making an announcement in this regard very soon.

* * *

● (1455)

JUSTICE

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my question is for the Minister of Finance. On Monday, members of all parties, except Reform, strongly supported the Ontario court of appeal decision in Rosenberg extending pension equality in the Income Tax Act to gay and lesbian couples.

Will the minister accept this courageous decision and agree not to appeal it? Will the government also review all federal laws to ensure that they reflect the equality principles which were eloquently set out in the Rosenberg decision?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, my department is reviewing the Rosenberg decision. I will be providing legal advice to my colleague the Minister of Finance in relation to the Rosenberg decision. As with all decisions in this area, we will review their implications for either the Income Tax Act or other federal laws.

* * *

EMPLOYMENT

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, I really enjoyed the answer by the minister of human resources but I certainly do not see the previous minister there, the infamous Doug Young.

According to the figures of the Department of Human Resources Development, last summer New Brunswick received $5.6 million for a summer career placement program. This summer the province will receive some $300,000 less. Students across Canada are being affected by these cuts. Will the minister explain to the students of New Brunswick why they deserve less funding this summer?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the member should be very happy because the number of unemployed has gone down in New Brunswick. It is why the project is being reallocated.

[*Translation*]

Our government has doubled the jobs program. We have taken it from $60 million to $120 million Canada-wide, and the funding allocation formula is based on the number of students in a province, its unemployment rate, and its needs.

* * *

SCHOOL MANAGEMENT

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

Even though education comes under provincial jurisdiction, the federal government is prepared to help Ontario's official language minority by managing its schools under the terms of an agreement signed last week.

Could the minister tell us how this agreement differs from similar ones signed with other provincial governments?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, first I would like to thank the members from all political parties who worked together to come up with an agree-

ment that represents a $180 million investment, over a five-year period, in French language education in Ontario. This initiative will have an impact on more than 100,000 students attending 426 Ontario schools.

The difference between this agreement and others is that we demand a business plan that emphasizes concrete objectives, instead of simply giving away money.

* * *

[*English*]

BANFF NATIONAL PARK

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, let us talk about Banff. Last fall the minister shut down a democratic process top down. She then established a new process. Her Secretary of State for Parks has been working directly with the mayor and the council has been involved in the process right from the word go. Yet without even knowing the results, without even having a bylaw, the minister has said there is no way she will even respect the democratic process. Why is she knee-capping her own secretary of state and ignoring the democratic process?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, on the contrary. As the member will know, the preliminary bylaws have been in the hands of the hon. secretary of state for many weeks. He and I have had a personal opportunity to review all of the aerial photographs.

It is unfortunate what the Banff council did. Instead of seizing an opportunity to create a real ecocommunity into the 21st century, it chose crass commercialization. The secretary of state, the cabinet and I have rejected that position.

* * *

[*Translation*]

MONTREAL PORT CORPORATION

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, in the riding of Hochelaga—Maisonneuve, about 250 people living in some 40 residential properties located in an industrial area are dramatically deprived of any quality of life, because of the pollution generated by the operations of the port of Montreal. Consequently, these residents have been asking to be expropriated since 1986.

How does the Minister of Transport explain that the Government of Quebec and the City of Montreal earmarked the funds necessary to expropriate these people, but that the port of Montreal, which comes under the minister's authority, refuses to get involved financially?

• (1500)

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I have already discussed the issue with the hon. member and yes, he is right, the situation is serious. We have made representations to the Montreal Port Corporation in an attempt to solve the problem.

* * *

PRESENCE IN GALLERY

The Speaker: I wish to draw the attention of members to the presence in our gallery of Bachir Boumaza, Speaker of Algeria's National Council.

Some hon. members: Hear, hear.

* * *

[*English*]

POINTS OF ORDER

REMARKS OF MEMBERS

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, I rise today on a point of order with regard to comments made last night in this House by the Reform member for Wild Rose.

The Reform member directed an accusation at the member for Ottawa Centre. He very clearly stated that the hon. member had lied. I will certainly state for the record that the member for Ottawa Centre is one of the most respected and experienced members of this House.

• (1505)

The Speaker: Colleagues, with all respect, I was here during that exchange of words and I have looked at *Hansard*. I judged at the time while I was sitting here that it was not a direct accusation.

I, like you and all members, deplore the use of the words lie or liar because when we use these words it tends to incite us. But I decided at the time that it was not a direct accusation.

I reviewed *Hansard* and I reviewed the tapes. My decision of yesterday would stand, but I would encourage all hon. members to please stay away from the use of the words lie or liar.

I thank the hon. member for his intervention.

QUESTION PERIOD

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, I believe that you will find there is unanimous consent for me to table a document which I mentioned in my question today.

The Speaker: Does the hon. member have unanimous consent to put a motion?

Some hon. members: Agreed.

An hon. member: No.

Mr. Randy White: Mr. Speaker, I believe our colleague is merely tabling the document, not moving a motion.

The Speaker: The hon. member needs unanimous consent to table a document in the House.

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, we did not give unanimous consent because we do not know the nature of the document, but we would be willing to look at it and consider the matter.

The Speaker: We have a no and we have a maybe. Maybe you can get together and work this out before the end of the day.

ROUTINE PROCEEDINGS

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 10 petitions.

* * *

INTERPARLIAMENTARY DELEGATION

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, pursuant to Standing Order 34, I have the honour to table, in both official languages, the reports of the Canadian section of the International Assembly of French-Speaking Parliamentarians, as well as the financial reports of the meeting of the IAFSP co-operation and development committee, held in Geneva, Switzerland, from March 23 to 25, 1998, and of the conference on the democratization effort in Africa, held in Libreville, Gabon, from March 30 to April 2, 1998.

* * *

[*English*]

COMMITTEES OF THE HOUSE

HEALTH

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Health in accordance with Section 5.(1) of the Tobacco Act and, pursuant to Standing Order 32(5), the proposed seizure, restoration and excise tobacco regulations were referred to the committee as of Wednesday, June 3, 1998. Your committee has considered the proposed regulations and has agreed to approve them without amendment.

* * *

BANK ACT

Hon. Lorne Nystrom (Qu'Appelle, NDP) moved for leave to introduce Bill C-420, an act to amend the Bank Act, the Insurance Companies Act and the Trust and Loan Companies Act (repayment of a mortgage loan before the maturity of the loan).

● (1510)

He said: Mr. Speaker, I have a short word of explanation with respect to the purpose of this bill. When people sign a mortgage, the language used for the cancellation provision should be easily understood by the majority of Canadians.

People have a right to know exactly what they are getting into, how to get out of it and how much it will cost. A number of people have been asking for legislation of this sort. It is important to the consumers of the country.

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

* * *

INTEREST ACT

Hon. Lorne Nystrom (Qu'Appelle, NDP) moved for leave to introduce Bill C-421, an act to amend the Interest Act (interest payable on repayment of a mortgage loan before maturity).

He said: Mr. Speaker, this issue is something that we have all been lobbied on by real estate people across the country. This bill would amend the Interest Act to make possible mortgage cancellation for mortgages of five years and under. That, of course, would be subject to the payment of a prescribed interest charge.

Mortgages of one year and under would not be included in this amendment to the Interest Act.

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

* * *

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, I would like to present the following motion which has been circulated among all party leaders. I move:

[*Translation*]

That this House take note that over 100 nations will meet in Montreal this month to begin negotiating a new global convention to reduce emissions of persistent organic pollutants.

That the Canadian Arctic Contaminants Assessment Report (CACAR) shows that POPs are entering the food chain in the Arctic and contaminating country food consumed by Inuit and aboriginal peoples;

[*English*]

Therefore, this House supports the need for a strong and comprehensive global convention to reduce the emissions of persistent organic pollutants, addressing key issues of technologies transfer, capacity and institution building and the need for Canadian aboriginal peoples to take an active role in the negotiations through membership of the Canadian delegation.

[*Translation*]

The Deputy Speaker: Does the hon. member for Davenport have unanimous consent of this House to propose this motion?

Some hon. members: Agreed.

An hon. member: No.

* * *

[*English*]

PETITIONS

BILL C-68

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I rise today pursuant to Standing Order 36 to present three petitions.

The first petition is from several hundred constituents of Medicine Hat who are repulsed by Bill C-68 and who would like to see the money that is going into Bill C-68 directed toward suicide prevention centres, crime prevention programs, women's crisis centres, anti-smuggling campaigns and more resources for fighting organized crime and street gangs.

I am happy to present this petition.

THE SENATE

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, also there are several hundred people who have signed petitions in my riding calling for an elected Senate. These petitions come from people from all over southern Alberta. Of course, that is a big issue in Alberta right now.

YOUNG OFFENDERS ACT

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the final petition I am presenting concerns changes to the Young Offenders Act. Several hundred constituents of mine are extraordinarily concerned that the Young Offenders Act does not adequately deal with the problem of youth crime.

The petitioners call for tougher sentencing. They also call for the minimum age in the act to be reduced to 10 years of age, for the maximum penalty for first degree murder to be pushed up to 15 years and for more parental responsibility in the justice system.

I am happy to present this petition on behalf of my constituents.

● (1515)

CANDU REACTOR

Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I rise today to present a petition with several thousand signatures from my riding and right across Canada.

The petitioners are calling upon the Canadian government to stop the sale of nuclear Candu reactors to Turkey. They also state that these reactors will be placed in a seismic area that is more than eight on the Richter scale and which could foresee leaks and will affect the neighbouring countries of Cyprus, Israel, Syria, Lebanon and Armenia. They also state that Turkey is a state that does not respect the human rights of its citizens, represses minorities and has used force and military aggression against its smaller neighbours and that giving nuclear technology to such a country will give it the ability to produce nuclear weapons of mass destruction and destabilize the whole region.

Therefore the petitioners call upon the House not to go through with this sale.

[*Translation*]

IPPERWASH PROVINCIAL PARK

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, pursuant to Standing Order 36, I have the honour to present a petition.

[*English*]

This petition concerns an event on which many petitions were presented previously. It relates to the call for a public inquiry into the events at Ipperwash provincial park where over 200 armed officers were sent to control 25 unarmed men and women. There are many questions that have not been answered around that particular incident which culminated in the shooting death of Anthony Dudley George.

The petitioners are calling upon the House of Commons for a public inquiry to be held into the events surrounding the fatal shooting of Anthony Dudley George on September 6, 1995 to eliminate all misconceptions held by and about government, the OPP and the Stoney Point people.

CHILD CARE

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, it is with great honour today that I present a petition pursuant to Standing Order 36 on behalf of a number of my constituents from Kings—Hants.

The petitioners are concerned about the government's failure to live up to its 1993 promise of a national child care strategy. They believe that the government should amalgamate current federal spending in the area into a national child care program and that

negotiations with the provinces, the territories and with aboriginal people should be commenced to discuss the development of such an important national program.

ASSISTED SUICIDE

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, pursuant to Standing Order 36, it is my pleasure to present to the House a petition signed by Bramptonians in the region of Peel, which is signed by over 500 Canadians.

This petition asks first, that parliament ensure the present provisions of the criminal law of Canada for assisted suicide be enforced vigorously and second, that parliament make no changes regarding this issue.

GUN CONTROL

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present a number of petitions to the House today.

The first two call for the repeal of the gun control legislation passed in the last parliament. These 109 petitioners from my riding and outside my riding ask that the money presently aimed at the creation and implementation of the gun registration system be redirected toward more cost effective methods of fighting crime in this country, including more police on the streets, crime prevention programs, suicide prevention programs, women's crisis centres, anti-smuggling campaigns and more resources for fighting organized crime and street gangs.

YOUNG OFFENDERS ACT

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I also would like to present a number of petitions which call for significant changes to the present Young Offenders Act. The nearly 250 petitioners from all across the country call upon parliament to make the protection of society the number one priority in amending the YOA through measures such as reducing the minimum age covered by the act from 12 to 10, allowing the publishing of violent young offenders' names, increasing the penalties for all violent crimes committed by youth and ensuring parental responsibility.

MARRIAGE

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, I have two sets of petitions, both on the same subject matter. The first one is signed by Canadians from in and around Yarmouth, Nova Scotia. The second one, containing over 300 signatures, is from constituents of my riding of Scarborough Southwest.

Both sets of petitions call upon parliament to enact Bill C-225, an act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act, which I introduced in the House, so as to define in statute that a marriage can only be entered into between a single male and a single female.

● (1520)

GUN CONTROL

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, pursuant to Standing Order 36, it is my pleasure and honour to present a petition from the people in Stewiacke area of Nova Scotia.

They call for the repeal of Bill C-68. They say and rightly so that it is a waste of hundreds of millions of dollars of taxpayers' money. The money could be redirected and used much more effectively in order to reduce crime by having more police on the streets, more crime prevention programs, et cetera.

This is most timely considering the fact that recent information has revealed that Bill C-68 was based on entirely wrong information.

GOODS AND SERVICES TAX

Mr. George Proud (Hillsborough, Lib.): Mr. Speaker, it is my pleasure to present a petition on behalf of some islanders.

These constituents are urging parliament to remove the GST from books, magazines and newspapers. They believe taxing reading material is unfair and wrong. As well they believe that removing the GST from reading material will help promote literacy in Canada.

GUN CONTROL

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, pursuant to Standing Order 36(6) it is my pleasure to introduce a petition signed by 125 residents of the small northern town of Fort Nelson in my riding.

The petitioners assert that registering legal firearms will do absolutely nothing to stop the criminal misuse of guns. They therefore request that parliament repeal Bill C-68 and redirect the hundreds of millions of tax dollars being wasted on the licensing and registering of responsible law-abiding gun owners and their firearms toward proven cost effective methods of fighting crime.

PUBLIC SAFETY OFFICERS COMPENSATION FUND

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

The petitioners would like to draw to the attention of the House that our police officers and firefighters are required to place their lives at risk on a daily basis as they discharge their duties. When one of them loses their life in the line of duty, the public also mourns that loss and wish to help in a tangible way the surviving family.

The petitioners therefore call upon parliament to establish a public safety officers compensation fund for the benefit of families of police officers and firefighters who are killed in the line of duty.

FIREARMS

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, I have two petitions to present today. The first involves the firearms act.

The petitioners are crying out that this act is a waste of money and it is a waste of police resources. They indicate that there are insufficient police officers per capita compared to 1972. They feel the money should be better directed toward that.

VIOLENT CRIME

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, on behalf of the people who are subject to violent crimes, home invasions, crimes against the elderly and crimes committed by street gangs in Manitoba, thousands of petitioners cry out that something be done with the Bail Reform Act and that we get tougher with violent criminals.

FERRY SERVICE

Mr. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, I have a petition signed by thousands of people from my riding regarding the provision of a freight and passenger ferry service between Port au Basques, Newfoundland and North Sydney, Nova Scotia.

This service is a constitutional obligation of the federal government and a right held by all people of Newfoundland and Labrador under term 32 of the Newfoundland Act, 1949. The petitioners feel that this service is a vital link between the province of Newfoundland and the rest of Canada. It is critical to ensuring the economic well-being of our province.

Petitioners feel that the provision of high quality, customer oriented ferry transportation services on this route must be guaranteed on a timely basis and at reasonable rates to users. Therefore, the petitioners call upon parliament to amend the Canada Labour Code, Part I to prevent any disruption of this essential service as a result of strikes or lockouts, and to increase the federal funding available to Marine Atlantic for this particular ferry service.

FOREIGN AFFAIRS

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I have a number of petitions to present. One petition is from constituents in my riding of Serbian descent.

They call upon the government to take all necessary action to stop all forms of armament into Kosovo and Metohija.

CRIMINAL CODE

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, the next petition I have is from 113 people in my riding who call upon parliament to affirm the duty of parents to responsibly raise their children according to their own conscience and beliefs, and to retain section 43 of the Criminal Code as it is currently worded.

GOODS AND SERVICES TAX

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, the final petition is signed by 200 people from my riding. It urges parliament to remove the GST from books, magazines and newspapers.

● (1525)

HEPATITIS C

Mr. Greg Thompson (Charlotte, PC): Mr. Speaker, pursuant to Standing Order 36, these petitions are certified correct in form and content.

The petitioners pray and request that parliament revisit the issue of hepatitis C compensation to reflect the concerns of the citizens of Canada to offer a fair, compassionate and humane compensation package to all those who received infected blood.

These petitions range from London, Ontario through to Newfoundland, in fact from the small community of Clarenville, Newfoundland. The Hepatitis C Society has forwarded these petitions for consideration.

BIOARTIFICIAL KIDNEY PROJECT

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have another petition to add to the thousands of names of people who believe that the Government of Canada can deal more effectively with the more than 18,000 Canadians suffering from end stage kidney disease by developing research in a bioartificial kidney.

These signatures were collected by the Peterborough police force; Grant, Willcox, Whetung, barristers; and the Barrie Consistory—

The Deputy Speaker: Order. I think I have cautioned the hon. member before that who gathered them is irrelevant. The hon. member is free to tell us who signed them, not their names but where they are from, and the general tenure of the petition, but honestly I think he should stick with the rules.

Mr. Jay Hill: He should know better.

The Deputy Speaker: Oh, he does know. He has been cautioned on this before.

Mr. Peter Adams: The petition is from people who believe that those on kidney dialysis and those who have had successful transplants recognize the importance of this life saving treatment. They also believe that an inadequate dialysis service exists across the country. Therefore, they call on parliament to work and support research toward a bioartificial kidney. I will not mention where those signatures were collected.

The second petition is from the same series. The petitioners point out that ministers of health across Canada have difficulty

providing access to dialysis treatment and that rates of organ donations are not sufficient to meet the need. They call upon parliament to work and support the bioartificial kidney project.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

[*English*]

Mr. John Cummins (Delta—South Richmond, Ref.): Mr. Speaker, I would like to bring to your attention Question No. 92 which is now past due. It is a question that relates to the use of the drug mefloquine by Canadian forces bound for Somalia in 1993. The question is of some interest not only to the many people who have written to me about this matter but also to the auditor general who is currently reviewing the processes of the health protection branch.

I would like to know when I could expect that question to be answered.

Mr. Peter Adams: Mr. Speaker, as the House knows, this week I presented well over 100 responses to petitions. In dealing with more than 1,000 petitions we are running close to a 90% response. In the matter of this question, I will follow up on it with great diligence in the coming days.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, on February 24, Question No. 78 was placed on the Order Paper and on March 5, Question No. 79 was placed on the Order Paper. This is my second point of order on these questions.

I waited seven months on a production of papers motion and I have never received the information. I wonder if I am going to be stonewalled on these questions as I was on the previous motion.

The outgoing information commissioner, John Grace, said today that the Liberal culture of secrecy is worse than in the Mulroney government. Seven months for the production of papers is unacceptable. I want these questions answered. I would like the parliamentary secretary to tell me when I will receive a response to these questions.

Mr. Peter Adams: Mr. Speaker, I have made a note of Questions Nos. 78 and 79. I will not repeat my explanation. We work diligently on these matters and I will make a great effort to produce these responses.

The Deputy Speaker: Shall the remaining questions stand?

Some hon. members: Agreed.

MOTIONS FOR PAPERS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

• (1530)

[*English*]

NATIONAL DEFENCE ACT

The House proceeded to the consideration of Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts, as reported (with amendment) from the committee.

Hon. Raymond Chan (for the Minister of National Defence, Lib.) moved that the bill be concurred in.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. Raymond Chan (for the Minister of National Defence, Lib.) moved that the bill be read the third time and passed.

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, it gives me great pleasure to open the third reading debate on Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts.

This legislation is a comprehensive package of amendments that will strengthen the statutory framework governing the operations of the Department of National Defence and the Canadian forces.

The amendments proposed in the bill are the most extensive amendments to the National Defence Act since its enactment in 1950. Bill C-25 addresses a broad range of provisions in the National Defence Act. However, it is primarily about military justice.

The military justice system anchored in the code of service discipline is designed to promote morale, discipline and military efficiency. One must appreciate that the Canadian forces are armed forces, trained for combat, requiring a distinct system of justice. Discipline is at the heart of any efficient and effective armed force. Whether in peace or in war it spells the difference between military success or failure.

The government took action after a number of unfortunate incidents in recent years called into question the capacity of the military justice system to promote discipline, efficiency, high morale and justice. We consulted with persons within the military, with the public at large and with distinguished Canadians with specialized knowledge.

The amendments contained in Bill C-25—

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I rise on a point of order. There have been consultations among the parties and I think you will find unanimous consent for the following motion:

> That the Order referring Bill S-2 to the Standing Committee on Transport be discharged and the said bill stand referred instead to a committee of the whole and that the said committee of the whole be deemed to have considered the said bill, reported progress thereon and granted leave to consider the bill at a future sitting.

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, I would be happy to provide my consent to these matters provided that the government does not try to sneak them through when I absent myself from the House and provided that I am consulted in advance. In order to discharge my responsibilities as a representative for the people of York South—Weston, it seems to me that before I give my consent to any motion for unanimous consent, at the very least I ought to know what I am voting on.

For the time being I am not prepared to give my consent, but if the government wishes to discuss this matter I would be happy to discuss it.

The Deputy Speaker: I take it, then, there is not consent.

Mr. John Richardson: Mr. Speaker, the government took action after a number of unfortunate incidents.

The amendments contained in Bill C-25, which has now had the benefit of second reading debate and the committee study, are the result of that process. With the amendments the government has followed through on the defence minister's report to the Prime Minister in March of 1997 and the reports of the special advisory group chaired by Chief Justice Brian Dickson. The government has also responded to the recommendations of the Somalia commission of inquiry.

I would like to take this opportunity to thank in particular my colleagues on the Standing Committee on National Defence and Veterans Affairs for their work in relation to Bill C-25. Twenty-one amendments, mostly of a technical nature, to improve the bill were approved by the committee.

● (1535)

Individual members who were already heavily burdened with other commitments made significant sacrifices to move the bill expeditiously through the committee. Their efforts have improved the bill and will ultimately assist the men and women of the Canadian forces to carry out their missions.

The Minister of National Defence appeared before the committee, as did several witnesses with experience and expertise in the areas dealt with in Bill C-25. Chief Justice Dickson, who chaired the special advisory group, and Lieutenant-General Belzile were witnesses. They fully endorsed the amendments contained in the bill. The advisory group was satisfied that the enactment of the bill into law would follow through on its recommendations and would assist the Canadian forces and its leadership in the maintenance of discipline and in the accomplishment of its task on behalf of Canada.

I would like to take this opportunity to thank Chief Justice Dickson and other witnesses for their appearances at the committee and for their contributions to this bill.

As the minister advised the committee and this House during second reading, the amendments under Bill C-25 will modernize the military justice system. The main thrusts of this bill are: to clearly define roles and responsibilities for key participants in military justice; to provide greater structure and transparency in investigations and charging; to modernize powers and procedures for service tribunals; and to strengthen oversight and review. Each of these components is a significant building block in the revitalization of military justice. During committee study each of these components was scrutinized and a variety of issues were raised and debated.

I would like to take this opportunity to make the government's position clear on a number of issues that were raised and debated in full.

During the second reading date and in committee there was discussion as to whether we should have one system of military justice for peace and another for periods of conflict. It was also suggested that we might have one military justice system for inside Canada and another for abroad.

The Canadian forces must be ready to deploy at any place in the world on a few hours' notice. The armed forces need one system that is at once workable in Canada and abroad in time of conflict or peace. Bill C-25 provides such a system. That was the advice of the witnesses at committee and of our military leadership, and the government followed that advice.

There was also discussion during second reading and in committee as to the independence of the judge advocate general and the military judges, both key factors in the military justice system. It was argued by a number of members that the JAG was still too dependent on the chain of command and that military judges should be civilians, perhaps members of the federal court, as recommended by the Somalia commission.

The JAG is appointed by cabinet on the recommendation of the minister. Bill C-25 has set out the duties the JAG must perform. It

clearly states that he will be responsible to the minister for the performance of those duties. We believe we have done what is necessary to ensure the independence of the JAG.

As for military judges, Bill C-25 will provide for fixed appointments of five years. Judges will be appointed by a governor in council, as are other federal judges in the civilian system. They will have financial security and will be removable for cause only on the recommendation of an inquiry committee.

Both the supreme court and the special advisory group have endorsed the practice of appointing serving military officers with legal training to perform the function of military judges. We are convinced that all measures necessary to assure the independence of military judges have been taken.

Under the system as it now stands, the minister of defence is also a key figure and may play an active role in the routine administration of individual cases under the code of service discipline. Bill C-25 will remove the minister from such day to day administration. This will avoid the perception of interference by the minister in individual cases, reduce potential conflicts of interest and enable the minister to focus on other duties.

The investigation and charging process has been criticized for its lack of transparency and for the broad discretion it gives the commanding officers. A commanding officer may make final decisions concerning not only minor offences, but also serious and sensitive offences that may implicate interests well beyond his or her individual unit.

Bill C-25 will remove from the commanding officer the power to dismiss charges and will provide a clear statutory basis for tailoring the jurisdiction of summary trials to those minor offences necessary for the maintenance of internal unit discipline. At the same time, the amendments will ensure the valuable and essential participation of the chain of command in the process.

● (1540)

The committee heard testimony from Colonel Mitchell, the Base Commander at CFB Petawawa, and Lieutenant-General Belzile, now retired and former commander of the army. These witnesses underlined the necessity for commanders, who are responsible to the chain of command and to the people of Canada for the accomplishment of missions assigned by the government, to have the necessary tools to retain control over discipline in their units. Both witnesses were clear in their testimony to the committee that the reduced powers and jurisdictions resulting from Bill C-25 would not prevent commanders from doing their job.

As for the summary trial process, the minister indicated during second reading debate and in committee that reform is already well under way. Amendments to the Queen's regulations and orders enacted on November 30, 1997 restrict the jurisdiction of summary trials to more minor offences that affect internal unit discipline. They also grant accused persons the right to elect trial by courts martial in all but the most minor cases.

One feature of the summary trial reform that was discussed at length in committee was the requirement to provide commanding officers with more comprehensive training in their military justice duties and responsibilities and to have them certified as qualified to conduct summary trials.

The minister made it clear to committee members that we are committed to certification training for the conduct of summary trials. It is now under development and we hope that the training will get under way in the fall. Once it is in place we will require officers to be certified as qualified prior to conducting summary trials.

There was concern in the committee regarding the requirement to be able to award the punishment of detention at summary trials and the committee sought direct testimony on that point.

Chief Justice Dickson told the committee that it was vital that the commanding officer retain the power of detention. General Belzile also told the committee that it was essential for the commanding officer to retain the option of awarding detention at summary trials. While retaining the punishment of detention at summary trials, it has nevertheless been reduced from 90 to 30 days. The automatic permanent reduction in rank to private has been eliminated. The members will be paid as privates while serving detention.

The government has thus strengthened compliance with the Canadian Charter of Rights and Freedoms and detention will remain an effective tool for commanding officers to use to maintain unit discipline and operational effectiveness.

In debate and in committee there has been reference to a two-tiered justice system. It is the goal of the government and this bill to promote equal treatment of Canadian forces members under the code of service discipline, regardless of their rank or sex. Several initiatives have been taken to ensure members are treated equally, regardless of sex or rank, and to provide treatment that is comparable to that under the civil justice system.

The code of service discipline procedures have been reviewed to ensure that any departures from civilian standards are militarily necessary and changes have been made where they are not. For example, at courts martial military judges will now sentence those convicted of service offences. In addition, punishment of hard labour and the death penalty will no longer be available as a result of changes under Bill C-25.

With respect to sexual equality, men and women in the Canadian forces must be able to contribute equally and work together in an atmosphere of trust. The extension of jurisdiction by courts martial over sexual assault offences that occur in Canada serves this purpose.

The establishment of the independent national investigation service will ensure that such offences are promptly reported and fully investigated. Permitting courts martial to try sexual assault offences committed in Canada will ensure that such offences are dealt with promptly and will demonstrate the government's commitment to treat sexual violence against members as a serious issue and to foster equality in the Canadian forces.

• (1545)

Disciplinary and general courts martial panels which previously were composed of officers only will now include warrant officers and above where a non-commissioned member is being tried. This better reflects the spectrum of individuals responsible for command and discipline in the Canadian forces. Mandatory accompanying punishments have been removed, eliminating a number of differences between ranks and the application of punishments.

For example, non-commissioned members but not officers were automatically reduced in rank when sentenced to imprisonment. Under the bill the automatic reduction in rank will not be removed.

Bill C-25 also demonstrates the government's commitment to strengthened oversight and review mechanisms for the Canadian forces and the department. In committee it was suggested that there be a requirement for oversight by the inspector general.

* * *

BUSINESS OF THE HOUSE

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been further consultations and I think you would find unanimous consent for the following motion:

> That the Order referring Bill S-2 to the Standing Committee on Transport be discharged and the said bill stand referred instead to a committee of the whole and that the said committee of the whole be deemed to have considered the said bill, reported progress thereon and granted leave to consider the bill at a future sitting.

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

NATIONAL DEFENCE ACT

The House resumed consideration of the motion that Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts, be read the third time and passed.

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, as the minister stated in committee, we put in place a threefold strategy to improve oversight and review.

First, we are strengthening our co-operation with existing oversight bodies such as the Office of the Auditor General, the Commissioner of Official Languages and the Canadian Human Rights Commission. Second, we are establishing new and specialized oversight bodies such as an independent and external grievance board and the military police complaints commission.

As the minister recently announced, Mr. André Marin, a former assistant crown attorney and past head of Ontario's special investigations unit, has been appointed the first ombudsman of the Department of National Defence and the Canadian forces. The ombudsman will be an alternative to the chain of command and will be vital for providing advice to members and superiors as to the best way to go about resolving sources of conflict and grievances to the satisfaction of the members involved.

The appointment of an ombudsman is a clear demonstration of the government's continuing commitment to strengthen the effectiveness and transparency of oversight mechanisms as well as to improve openness and fairness in the Canadian forces. The ombudsman will complement the mechanisms already in place to oversee the DND and the Canadian forces, including the new grievance board and military police complaints commission that I have mentioned.

In our third step to improve oversight and review we will substantially increase annual and public reporting. There will be annual reports under Bill C-25 by the JAG, the grievance board and the military police complaints commission. In short, there would be nothing left for an inspector general. As I said in committee all bases are covered.

I would like to take the opportunity of this third reading debate to address the issue of the removal of the death penalty provisions from the National Defence Act. The removal of the death penalty from the military is long overdue. It was abolished some 22 years ago in the Criminal Code. Since the enactment of the National Defence Act in 1950 no member of the Canadian forces has been executed for a service offence under the act.

During World War II three soldiers were sentenced to death by courts martial but only one was executed for committing murder which was a civil offence and punishable at that time by death. The military advice of the chief of the defence staff is that the death penalty is not required under the code of service discipline for military purposes.

The removal of the death penalty from the National Defence Act will bring Canada's military law in step with its civilian counterpart and with the approach taken by most western nations. For more serious offences involving traitorous acts the punishment of imprisonment with ineligibility for parole for 25 years which is being submitted will provide a sufficient deterrent.

● (1550)

No witnesses who appeared before the committee supported the death penalty. In Chief Justice Dickson's testimony before SCONDVA he underlined the importance of bringing the punishment into line with the maximum punishment available under civil law.

The amendments to the National Defence Act are the most comprehensive in 50 years. The government has delivered on the reports of the Minister of National Defence, the special advisory group and the Somalia commission. Also under Bill C-25 the government has undertaken to review provisions of the act in five years time.

The amendments in Bill C-25 in conjunction with the reforms already undertaken will modernize the military justice system while continuing to meet the military requirements for portability, speed and involvement in the chain of command in time of peace or conflict wherever the Canadian forces operate.

These amendments will ensure that our military remains combat capable and ready to respond to the challenges and missions the Canadian people demand of it, consistent with the values of Canadian society and our constitution. Our country, with the dedication of the men and women of the Canadian forces, deserves no less.

Accordingly I urge all hon. members to support the bill.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I think you would find unanimous consent for me to share my 40 minute time slot with three of my colleagues thus breaking it into four 10 minute slots.

The Deputy Speaker: Is there unanimous consent that the hon. member for Esquimalt—Juan de Fuca split his time into four 10 minute slots?

Some hon. members: Agreed.

Mr. Keith Martin: Mr. Speaker, I thank the House for its generosity. I will be sharing my time with the hon. members for Lakeland, Edmonton East and Compton—Stanstead.

It is a pleasure today to speak to Bill C-25. Men and women in military uniform have been for a long time serving our country with courage, distinction and in silence. They have worked hard. They are busier now than they have ever been and have engaged in some 17 military operations since the Korean war. Yet their morale is the lowest it has been in years.

Why is that so? There are many reasons for it. The government had an opportunity but it is disappointing that Bill C-25 did not get to the heart of that.

My colleague from Calgary East put forth numerous constructive suggestions to the government. It did not adopt any of them. The suggestions would have gone a long way to making Bill C-25 the bill that it should be, one that restores accountability, transparency and honour to the military justice system.

We wanted to make the inspector general independent which would have given the IG more power to represent our people in uniform. On reforming the office of the judge advocate general we asked that the JAG be separated from the chain of command. In other words it would enable the JAG to have more power to investigate problems within the military.

A situation is taking place in our military that is tearing out its guts. Criminal activity including rape is somehow being allowed in the military. It is turning a blind eye. Activities done by a very small number of bad apples are tarnishing the vast majority of people in the military who are doing an outstanding job.

Those things are hardly being touched upon. Yet petty rules and regulations are being enforced which are eliminating the esprit de corps that is necessary to be able to mould a fighting force that can be deployed around the world. The traditions of our military have been torn away. The ability to wear badges of merit are forbidden within our military.

How can we have a situation where promotions are basically flatlined and stalled, where people are in the same positions for 10 or more years? Salaries have been stalled and flattened out for a long time, and we understand that.

● (1555)

The government could have put forth constructive solutions that would not have cost any money. I presented them to then General Dallaire who was responsible for the military in that capacity two years ago when he appeared before the defence committee. We were promised that action would be taken on them and nothing has happened.

One constructive solution was the provision of a tax free accommodation assistance allowance for all military people. Local base commanders should have more power and more ability to manage their services. Public works should be taken out of the

hands of base commanders so that they would be able to operate in a more constructive way.

It is important also to look at our equipment. It is true that the government has made some sensible purchases recently, but the military still labours with equipment that is hazardous, rickety and dangerous to the health of our service people. Military personnel move around the country. They move from a small base like the one in Cold Lake, Alberta, to the Esquimalt base in my riding, the Marine Pacific Command. They find their costs increase dramatically but there is no allowance for that.

When people enter the military they are willing to move around to various parts of the country. They know it is part of their job but they do not expect to be kicked in the teeth when they do it. The situation is so bad military service people are going to soup kitchens. They are moonlighting. Men with pregnant wives are forced to work abroad to make a bit of extra money to put food on the table back home. How can they serve our country and our international obligations properly when they are forced to do that?

We all understand the situation of the government with respect to the financial crunch we all labour under. However constructive solutions such as making a tax free accommodation allowance payable to everyone and reducing the rents of members quarters to what they were three years ago would be only fair.

PMQ rents were repeatedly jacked up and the salaries were frozen. That sends a very bad message to our military personnel. They are not looking to get rich. They know the situation they are in. They understand the situation of the government and the restrictions it is under. However they expect to be treated fairly.

That is not too much to ask for people who travel far away under extremely dangerous circumstances to wave the Canadian flag and do the bidding of our country to fulfil its obligations abroad and domestically.

We also have to consider the non-military people who work for the military, the civilian population. At the base depot in Esquimalt the people have done an admirable job of cutting. They have cut remarkably well, so much so that they have been used as a model for other bases around the country.

Many of those people have been working for the military at salaries less than what they would make if they had gone on welfare. Yet they have chosen to stay with the military and work for DND because of the pride they feel in supporting an institution that is an honourable part of the history of the country.

Those individuals have no assurance of what will happen in the future. They are not being communicated with at all on their future. They know the tender process that is taking place is occurring for efficiency reasons. All they ask is to be able to bid on the contracts fairly and on a level playing field. They are not being allowed to bid on jobs in which they have worked honourably for decades in some cases. That is no way to treat the people in our military. It is no way to treat the honourable people who work in the Department of National Defence.

We should listen to the solutions put forth by my colleague from Calgary East which would revamp our—

The Deputy Speaker: The hon. government House leader on a point of order.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I seek unanimous consent for the following motion:

That, notwithstanding any Standing Order or usual practice, the Minister of State and Leader of the Government in the House of Commons may introduce and propose for first reading of a bill entitled an act to amend the Parliament of Canada Act, the Members of Parliament Retirement Allowances Act and Salaries Act during Routing Proceedings on Thursday, June 11, 1998 and the said bill shall be disposed of by the House as follows:

1. Commencing at 3.00 p.m. that day, the bill shall be debate at the second reading stage and after not more than one hour of debate all questions necessary to dispose of the second reading stage of the bill shall be put without further debate;

2. Immediately after receiving second reading the said bill shall be considered in a committee of a whole and after not more than thirty minutes of consideration in committee of the whole all questions necessary to dispose of the committee stage of bill shall be put without further debate;

3. Immediately after being reported from the committee of the whole, the said bill shall be concurred in at the report stage and shall be debated at the third reading stage and after not more than thirty minutes of debate all questions necessary to dispose of the third reading stage of the bill shall be put without further debate;

4. The motions for second reading, concurrence and report stage and for third reading of the said bill and the adoption of any clause or title of the bill or any procedural motion necessary for the adoption of the bill in committee of the whole shall be deemed to have been carried ''on division''.

That business to considered under Government Orders on the morning of June 11, 1998 shall be the report stage of Bill C-38, followed by the third reading stage of Bill C-37, provided that no later than 11.00 a.m. on that day, all questions necessary to dispose of the report stage of Bill C-38 shall be deemed to have been put and divisions thereon requested and deferred to l.00 p.m. that day and at 1.00 p.m. all questions necessary to dispose of the third reading stage of Bill C-37 shall be deemed to have been put and divisions thereon requested and deferred until immediately after completion of Bill C-38; and

That, during consideration of Government Orders on that day, a member may propose a motion with respect to the amendments made by the Senate to Bill C-410.

• (1600)

(Motion agreed to)

NATIONAL DEFENCE ACT

The House resumed consideration of the motion that Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts, be read the third time and passsed.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, there are some constructive solutions we can adopt to make sure our military people have the ability to carry out their jobs.

To revamp their morale, make the accommodation assistance allowance non-taxable. Make it applicable to every person serving in our military. Roll back the rents to what they were in 1994 at the time their salaries were frozen.

Give the base commanders the ability to maximize the efficiencies on their base and get public works out of their hair.

Bring back the traditions within the military. Listen to the grassroots people in the military and allow them to wear their merit badges. Bring back the honourable traditions that have given them pride.

Stop penalizing the petty little infractions that enable them to have esprit de corps necessary for them to form a fused fighting force that will enable them to take care of the difficult activities they must engage in abroad.

Be hard on those who are engaging in criminal activities and be ruthless about eliminating them.

Take a look at the upper echelons of the military and make sure there are people there who are working for their soldiers and the grassroots and who are not people who are politicians in military garb.

Give our soldiers a clear direction as to what their activities are to be. They must not be ambiguous messages from the Minister of Foreign Affairs. Through the minister of defence make sure that the direction of our military people is very clear and precise. Ask them to do a task and they will do it, but make sure the message is not ambiguous.

Make sure we remember we are not training cub scouts, we are training individuals to go abroad and potentially engage in war.

Make sure we do not forget those individuals who are in civilian garb who operate and serve our soldiers and military garb in the department of defence. Many have worked for many years. They have undergone great cuts. They have engaged in efficiencies willingly and they have done a superb job of doing that. They need to be looked at, examine what they have done and do not throw the baby out with the bathwater. In doing that we may be adopting systems that would be less efficient for our military.

• (1605)

Let us remember that our tradition in our military is longstanding. Men and women have fought and died to make sure that we have a country that is strong and free.

Let us enable our military personnel today to engage in the honourable traditions of the past to engage in and fulfill our obligations abroad and at home.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, I am pleased to speak on this legislation. I will talk a bit about the reforms in this legislation but unfortunately much more about what was not included in this legislation, in particular the position of ombudsman and independent inspector general. I will make some general comments about the men and women who serve in our forces.

What is in the legislation has been talked about to some extent but what we have in the legislation are some changes to the office of the judge advocate general. There are some positive changes in that but by and large the positive changes laid out in this area are nullified because the judge advocate general is left within the chain of command. There is not enough independence.

Some of the improvements that have been made have lost their value because the independence is limited. The military police is another area where there was reform in this legislation. There are some positive changes but again these positive changes are largely overridden because this office really is not made independent enough. That is still a concern regarding that position and really limits to a great extent the value that could have been presented in this legislation had it been done properly.

That is what is in this legislation. What is not in the legislation? The position of ombudsman is not mentioned in the legislation. The position of independent inspector general has been completely left out. There is no mentioned whatsoever and seems to be rejected by this legislation, and certainly was rejected by the minister's announcement of the ombudsman yesterday.

The parliamentary secretary in his opening comments said there is no need for an independent inspector general and his quote is that all the bases are covered by what is presented in this legislation and by the position of ombudsman. The ombudsman was announced yesterday. I am going to point out as clearly as I can that all the bases are not covered.

Because independence is not given to any of those involved in this military justice system the reality is if any gains have been made they are very small.

Let us look at the position of ombudsman. There is no mention of it in this legislation. The interesting thing is that in spite of the fact that the ombudsman was announced by the minister yesterday, there is no legislation to establish a position of ombudsman. What does that mean? We have an ombudsman appointed. There is no

legislation. To me that means absolutely no power. That was something made very clear in the press conference yesterday. The ombudsman who was appointed has no power.

The only real power this ombudsman has is in presenting information to the public about what is going on inside the department. That is very limited because the ombudsman does not really present the information that he might have on a situation that is not being dealt with properly to the public. The ombudsman rather presents the information to the minister. It will be up to the minister to decide whether anything is done with the information presented to him. What really has been accomplished with that? I would like the parliamentary secretary to explain how all the bases have been covered.

● (1610)

I want to read some of the things that have been said by the minister and General Kinsman, former ADM of personnel. They were talking about the position of ombudsman and what it would and would not do. It is important to note here that this is an organizational ombudsman, not the ombudsman that people are used to when they hear about an ombudsman who is set out to deal with a particular problem by a provincial government or some other organization.

General Kinsman said: ''Typical functions of an organizational ombudsman would include listening to members' complaints and providing an opportunity for ventilation; providing information to members on policies, how to take action, where to find information and so on; reframing issues and developing options for members; referring people to help themselves with advice or coaching; making informal, third party interventions''. As he goes down the line he makes it clear that this position does carry with it absolutely no power. That was reinforced yesterday with the minister's announcement.

General Kinsman goes on to say: ''Because of objections in the operational commands to the proposal as tabled a compromise option was developed which would limit members' direct access to the ombudsman office, to administrative actions only, but would authorize secondary access on all other matters after first attempting resolution within the chain of command''.

People who have a complaint that is not being dealt with still have to go through the chain of command and only then can it be dealt with in some way by the ombudsman. The ombudsman, having no power because there has been no legislation introduced to give that power, has a very limited capability. The minister in yesterday's press conference really reinforced that.

I would like the parliamentary secretary and the minister to show how all the bases have been covered. It is clear that very little progress has been made.

The most disturbing thing of all was said by the parliamentary secretary today and the minister yesterday at the press conference. They said that because this ombudsman has been appointed there is no need for an independent inspector general. We had proposals again and again by the Somalia commission and by several other people who have done reviews of the military system that call for the appointment of an independent inspector general who would report to parliament completely outside the chain of command. That is what people have called for. That is what is needed and it is completely absent from this legislation. It is a glaring hole.

All bases covered, I suggest the government does not get to first base with this legislation. I am extremely concerned about that because of the impact on our men and women who serve so well in the Canadian forces and their need now for someone to go to when their concerns are not dealt with properly.

I want to make it clear that when I am talking about the position of ombudsman and the lack of authority and legislation to even establish the position, I am not criticizing the gentleman who was appointed, André Marin. He seems like a bright young man and has great qualifications when one looks at what he has done. He has been successful at what he has done. In terms of the person appointed I do not have a concern.

However, I think Mr. Marin is headed for frustration. He goes into this position for six months and he is then going to realize he has been given an impossible task. There are high expectations of what he would do but there is no authority granted to allow him to do it.

● (1615)

I will close by commenting on the impact of this legislation which is very weak, on the ombudsman position which is very weak, and on the impact of that on the men and women who serve so well in our forces.

As the House of Commons defence committee found out, it is clear that there are very good people serving in the Canadian forces. They are dedicated. They are certainly not there for the money. They are there because they want to serve this country. They are proud of what they do, but they do need someone to help them when they have a problem that is not dealt with by the chain of command. They need someone.

Presenting legislation like this and saying that all bases are covered is completely letting down the men and women who serve this country so well. It is sad that has happened. Something else has to happen to make up for the wrong that is being done in presenting this legislation and nothing more.

Mr. Peter Goldring (Edmonton East, Ref.): Mr. Speaker, I am pleased to rise as the humble servant of the constituents of Edmonton East to contribute to this debate on Bill C-25, an act to

amend the National Defence Act. I also contribute to this debate in my capacity as official opposition critic for veterans affairs.

Some commentators have remarked that there does not appear to have been that much of significance on the legislative agenda during this parliamentary term. The debate on this bill demonstrates how commentators can easily be off the mark. Bill C-25 is a most important piece of legislation. Through this bill the most extensive set of amendments to the National Defence Act since its enactment in 1950 are proposed.

As discussed by the Minister of National Defence in the House last March, the government intends by this bill to implement approximately 80% of the recommendations of the Somalia inquiry, an inquiry cut short by this government.

This bill appears to be in part a government response to conflicts of interest in the military justice system identified in inquiries into the conduct of our troops in Somalia and Bosnia. It also appears to be an attempt to address the perceived discriminatory treatment of wrongdoing in the military. The higher the rank of an accused, the less it is perceived that justice will be administered fairly or that punishment will be rendered equitably.

I enter into this debate as a parliamentarian with a military background. From 1962 to 1965 I served with the military police in the Royal Canadian Air Force.

Some might argue that the justice system for the military should be no different than the justice system for Canadian civilians. Some might question why there is a separate justice system for the military; should the administration of the criminal justice system not be the same across provinces and across groups? Some might argue that the military is no different from any other self-governing profession where matters of professional misconduct are addressed internally but where criminal matters are addressed through a civilian court system.

My opinion is that a separate military justice system is important and should be preserved. One reason for this is that many of our most notorious cases in the military have related to events occurring while on service outside Canada. It is far more efficient for such wrongdoings to be addressed through the Canadian military justice system than it would be to seek justice in circumstances of international jurisdictions disputes.

As stated by the Minister of National Defence during the course of his remarks on this bill, ''by tradition there is a separate military justice system because of the nature of dealing with matters swiftly—it is necessary to have a portable system. What we are attempting to do is to bring it as close as possible to the civilian system''.

My colleagues and I are very supportive of improvements to the system of justice in the military. At the same time we will be opposing this bill. A primary reason for our opposition is that we question whether this legislation is more akin to window dressing rather than involving substantive changes to the military justice system. We question whether the legislation will achieve the government's objective of approximately paralleling the civilian justice system particularly in terms of increased bureaucracy.

We are all mindful of serious problems in the military particularly relating to troop morale and generalized sentiments that the higher the rank, the easier it is to transgress.

● (1620)

The appointment of an ombudsman to address these concerns may do little to change matters. The appointee is after all André Marin, son of Judge René Marin, a Liberal judicial appointee. Throughout any process to improve our military there must be a lack of political bias, both in appearance and in fact. It has been reported that André Marin was appointed at the personal insistence of the defence minister and over the objection of others who believed there were more suitable candidates.

I am not in any way impugning the competency of Mr. Marin. I find it interesting and of course purely coincidental that his appointment was announced two days before the final debate on the bill.

Why is any issue of bias in appearance or in fact in the assessment of military procedure important? It is because the memories of the Liberal shutdown of the Somalia inquiry are quite recent. As may be recalled, that shutdown occurred as the inquiry was about to investigate the involvement of the Liberal government in the Somalia affair. To the extent that Bill C-25 may be viewed as an attempt by the government to counter criticisms of its shutdown of the Somalia inquiry, the bill may be viewed as a vain attempt to deflect concern.

In the absence of clearly unbiased processes throughout, unbiased in fact or in appearance, the government may still be viewed as permitting a culture of secrecy, cover-up and intimidation to continue unchecked in the military. The government may also be viewed as ratifying the behaviours and attitudes of senior military officials who are not held accountable for their roles in important mistakes and scandals. Invariably, subordinates are the ones who end up being blamed for the mistakes of their superiors.

I now wish to address certain particulars of the bill, particularly as they relate to the military police. If one accepts as I do that a separate system of military justice is necessary, then a separate military police force becomes equally necessary. If one accepts as I do that such a military system of justice should not significantly vary from the system of justice governing civilians, then a separate regulatory regime for the military police becomes necessary.

In furtherance of a recommendation from the Somalia inquiry, a military police code of conduct is authorized by Bill C-25. In addition, processes are established for complaints by or against the military police. These processes for complaints against military police parallel those in civilian life. There is to be an independent military police complaints commission to address what is referred to as conduct complaints. On the other hand, when military police have concerns that investigations have been interfered with, they too can complain to the complaints commission. This is called an interference complaint.

An interference complaint may be made by a member of the military police who conducted or supervised an investigation and who reasonably believes that a member of the Canadian forces or a senior official at the Department of National Defence had improperly interfered with that investigation.

This puts military police on a different footing from civilian police. There is a charge in criminal law called obstruction of justice. Police do not have to go before a police commission to have such a charge reviewed. The charge may simply be laid based on the facts.

Being charged with obstruction of justice should not depend on where one is positioned in the national defence hierarchy. I believe the military police should have similar powers to those available to civilian police. By placing a commission between the facts and any charges, the government perpetuates the image of bias in the assessment of obstruction of justice charges. This is particularly so since the commission has the power to discontinue an investigation. This is one of the very failings within the military that is identified in the Somalia inquiry and elsewhere.

There is a pervasive impression that justice can be obstructed within the military depending on the rank of the accused or in circumstances where the military perceives itself to be under attack by an organization. All legislative initiatives should be with a view to eliminating any impression that such obstructions of justice could occur or continue within the military. I do not believe this legislation accomplishes this.

• (1625)

On a more positive note, the possibility of a stay of proceedings by a commanding officer who may not be a lawyer is finally eliminated. There is a clear appearance of bias when criminal justice proceedings may be stayed by someone who has a vested interest in the outcome.

Within the constraints of my time, I wish the *Hansard* record to show that my main reservation with this bill is that bias in appearance or in fact in the military is not eliminated by it. While the bill is an ambitious first start toward reform of the military justice system, there is clearly much work to be done and in the case of this bill much more legislative drafting to be done. I urge my colleagues to vote against Bill C-25.

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, I thank my hon. colleagues from the Reform Party for sharing their time.

I am happy to speak to this bill today. The government has decided to address the issue of justice in the Canadian forces and it is about time. Like everything this government does, no matter how noble it appears to be, all we have to do is scratch the surface and we will always find an ulterior motive. Those motives generally are to look good rather than to do good. Today is one of those days.

Addressing the issue of justice in the military is both important and urgent. My party understands that if we are going to do something, it is worth doing it right. Unfortunately while there are some interesting points in this bill, it leaves far too much out and does not address the real problems the Canadian forces face today.

There are several questions we have to ask ourselves today. First, what events brought us to this point to have this bill reach Canada's House of Commons? Second, did this government act in the appropriate way and does this bill address the need for change? Third, if passed, will this bill work in a practical way when it is applied? While all of these questions are certainly connected, it would serve us well to take time to ensure that they are answered to Canadians' satisfaction.

The first question is perhaps the most important and the key to this. What events brought us to this point? All members of this House are aware of the events that transpired as a result of other events in Somalia. However they are worth repeating and repeating. The Somalia inquiry was shut down for political and personal reasons last year. That brings us here today.

Inquiry commissions are created because there is a public concern that needs to be addressed. As elected officials to this House, it is incumbent upon all of us to take such matters very seriously. It seems to me that if there is a good enough reason to begin an inquiry commission, then there is probably a real reason to complete that inquiry commission.

Because the Somalia inquiry was cut short, this has never been resolved. The result is that Canada's fine military has been dragged through the mud and still there is no resolution. The result is that Canadians do not know what the true story is and still there is no resolution. It is not because this government suddenly cares about military justice. The government shut down a public inquiry and there was no resolution.

Last month *Maclean's* magazine revealed that there was ongoing sexual abuse and sexual assault taking place in the military. Women do not feel comfortable doing their job. This is unacceptable.

Although my friends in the Reform Party seem to think that women should not be in the military at all, most members in this House and I believe the minister of defence agrees that this behaviour toward women is unacceptable. Saying it is unacceptable and doing something about it are two different things.

What we have now is an atmosphere of distrust with the Canadian forces members who have been wronged. They feel safer and feel as if more will be accomplished if they go to *Maclean's* magazine than if they report the crime to the appropriate personnel.

• (1630)

There is something wrong with that and this bill does not fix the problem.

The Minister of National Defence introduced a new ombudsman yesterday. In this House, I congratulated that new ombudsman and wished him well on his new job. When asked, this new ombudsman said that he has not been told what his budget will be, how much staff he will have and has not been given virtually any guidelines. That is certainly not acceptable.

That brings me to the second point I outlined earlier. Did this government act in the appropriate way? Does this bill address the need for change?

I just told this House that I disagree with the way this bill arrived here. However, there is much in this bill that my party agrees with. The problem, however, is that when one tries to cover something up, rather than address the real issues as this government so often does, the result is very often inadequate.

Similarly, because this government is introducing this bill for the wrong reasons, it does not go far enough in addressing the real problems.

Indeed the government missed an excellent opportunity to instil new confidence in our military. The government could have taken measures that would truly make a difference, measures the Canadian public could point to and say ''my government listened, I now have faith in the way the military operates''.

But the government did not listen. Instead it shut down an inquiry and stifled debate. Now the Canadian public will feel cheated, and justly so.

There are ongoing investigations into sexual abuse. Does that make the Canadian public feel good about the people who wear Canada's uniform? I do not think so.

This government feels proud when it says it is fulfilling 80% of the recommendations of the Somalia inquiry. I want to make two points about this not so great accomplishment.

First, the Somalia commission was cut short and so we do not know what the full recommendations would have been. Second, while the government thinks 80% is something to brag about, my party's answer to that is quality is much more important than quantity.

The Somalia inquiry commissioners recommended that the judge advocate general be a civilian. The government ignored that recommendation. The Somalia inquiry commissioners recommended that an office of inspector general be created. The government ignored that recommendation.

My party proposed in our election platform last year and we maintain today that creating the office of inspector general would be the best way to make the military accountable and increase transparency to give the public more confidence in its armed forces.

The Minister of National Defence said that the Canadian forces do not need someone looking over their shoulder. Then he goes on to say that the role of inspector general is being fulfilled in other ways. He mentions the grievance board made up of eminent Canadians. He mentions the new ombudsman. Could it be that the grievance board and the ombudsman do not do what an inspector general could do?

The way this bill would have it these bodies have absolutely no teeth. They can make recommendations and the CDS can ignore them. The Canadian public has little reason to believe that the recommendations will not be ignored.

The witnesses who came forward to speak to us on this bill were very knowledgeable. Professor Doug Bland of Queen's University recommended that the committee look at chapter 44 of the Somalia report.

It might be most effective if I read his words directly: ''With respect, I would direct your attention to the final section of the report of the inquiry, the Somalia inquiry, 'The Need for a Vigilant Parliament', which comes back to my original point. I believe that the defence of Canada, the operation of the armed forces, the delegation of responsibility, every act, every aspect of national defence policy in this country is the responsibility of members of parliament''.

That was on May 12, 1998. I would like to read a motion I put forward on November 29, 1997 at SCONDVA: ''That the committee invite the three Somalia commissioners to appear before this committee to speak on chapter 44 of the Somalia report 'The Need for a Vigilant Parliament'''.

I presented this motion five months before Professor Bland and others appeared before the committee to discuss this very bill. I am sad to say the motion was turned down.

This government does not want a vigilant parliament because if parliament were too vigilant, this government might not get away with all its schemes.

As the events of the last few days have demonstrated, when there is not one government member in the Chamber, this Liberal government has absolutely no respect for parliament and no respect for democracy. This government's members do not listen. They do

what the Prime Minister's office tells them to, no questions asked. After the hepatitis C compensation vote all Canadians know this, but it is true in other instances also.

• (1635)

I want to review some of the amendments that I know this government in its arrogance would not even consider. For example, if I had any faith that this government would actually listen and consider, I would have introduced a motion to establish an independent body of the office of inspector general including the powers to evaluate systematic problems in the military justice; conduct investigations into officer misconduct such as failure to take corrective action, personal misconduct, waste and abuse and possible injustice to individuals; protect those who report wrongdoing from reprisals; protect individuals from abuse of authority and improper personal actions including racial harassment and sexual harassment; and most important, report directly to parliament.

We know that the government would not even listen. The Minister of National Defence is not listening now. But the government did turn down the inspector general with solid reasons that my party could not accept.

Another recommendation we could have made is make the recommendations of the grievance board mandatory and binding and introduce a six month time limit within which the complaints must be examined.

But this government does not listen. It does not hear. It does not want an office with teeth and with real authority.

My party wholeheartedly agrees with the need to change the military justice system. This bill needs to go further to create real change. We want the public to know that the military serves it and not itself. This bill fails to do that and the government has failed to do its job.

[*Translation*]

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, I am pleased to take part in the debate at third reading on Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts.

Ever since he tabled this bill, the Minister of National Defence has been trying to make us believe that the proposed amendments to the military justice system will ensure greater transparency and improved accountability on the part of his department and the Canadian forces.

It is true that the bill includes some accountability mechanisms. The new grievance board, the new military police complaints commission and the judge advocate general will release annual reports that the Minister of National Defence will then have to table in Parliament. These reports are in addition to those of the Chief of the Defence Staff, the Provost Marshal of the Canadian Forces, and other reports issued by the new monitoring committee set up last fall by the Minister of National Defence.

Soon, we will literally be flooded with annual reports from DND. While the Department of National Defence has long been criticized for lacking transparency, its new will to account to the public is somewhat surprising.

However, in spite of this apparent openness, I have doubts about the objectivity of these various authorities in drafting their reports, considering how close they are to the institution itself. The judge advocate general, the chief of the defence staff and the provost marshal are all members of the military; the members of the monitoring committee are friends of the minister; finally, the chairman of the grievance board will work in close co-operation with the chief of the defence staff.

Under the circumstances, it is reasonable to think that we will not have access to very objective reports. When it comes to transparency, more is required than these reports to make Quebeckers and Canadians stop feeling that the Canadian forces are a state within the state.

Since parliamentarians will not have free access to a critical and impartial analysis of defence issues, they will not be able to properly monitor military affairs.

• (1640)

Admittedly, my comments may seem harsh, but the issue here is not to launch a personal attack on those who will have to submit annual reports, but to be aware of the difficulty of objectively criticizing an institution of which one is a member. Generally, it is preferable to have an impartial outside observer.

This is why, as the Létourneau commission recommended, we believe that an inspector general, working independently from the Canadian armed forces and accountable to Parliament, would ensure a fair, neutral and balanced analysis of the activities of the military, which the present bill will never be able to do.

Not only does the Bloc Quebecois think it would be preferable to have an non-political and independent review body, but all other parties in the House have also expressed the same view.

The Minister of Defence tells us that the Somalia commission of inquiry's recommendation regarding the office of inspector general is being implemented, but in other ways. Among other things, the minister is referring to the review committee he set up last fall.

As we pointed out at second reading of the bill now before us, this committee bears no resemblance to what the Létourneau commission wanted to see. This review committee is composed of eight individuals who will examine the implementation of the changes announced in the department and in the armed forces.

These people will have no say, however, regarding the actual conduct of the Canadian armed forces.

In addition, the minister is deliberately not pointing out that this committee has a mandate of only two years. In the end, what will there be for it to do? A few annual reports here and there in order to meet the accountability requirement.

The minister is thus misleading the public and giving the impression that he is agreeing to an inspection. We are not so foolish as to think that there will be a real inspection, independent of military activities.

In his various interventions on Bill C-25, the minister has also said that implementing the amendments to the National Defence Act will increase the fairness and effectiveness of the military justice system. Bloc members have raised several procedural shortcomings in summary trials during second reading of the bill. Time prevented us from discussing the problems associated with the military justice system specific to courts martial. We therefore welcome the opportunity today to comment on this matter.

The National Defence Act provides for four different types of courts martial: the general court martial, the disciplinary court martial, the standing court martial and the special general court martial. The first two are comprised of a military judge and a committee whose membership varies the same way that of a jury does in a civilian criminal court.

The members of this committee are the triers of fact, which means that they determine the guilt or innocence of the accused. It is therefore up to the committee to sentence any accused who has been found guilty. However, this prerogative of sentencing is abolished by the bill before us, and it will fall to the military judge. This amendment brings the military judicial process more in line with ordinary criminal procedure.

Even though it will no longer have authority over sentencing, the committee will nevertheless continue to determine guilt or innocence of the accused. Its judicial independence and impartiality is therefore of paramount importance to the accused.

At present, only commissioned officers can sit as members of general and disciplinary court martial panels. The bill ensures greater openness to non-commissioned members by allowing them to serve on courts martial under certain circumstances. However, since court martial panels remain composed of military personnel, the issue of institutional independence remains.

Can a military tribunal, made up of military personnel and therefore likely to be affected by military culture, really be impartial within the meaning of the Canadian Charter of Rights and Freedoms? Is it really independent enough to render a verdict without reasonable apprehension of bias?

• (1645)

According to the principle of impartiality, a court must not be influenced by either the parties or outside forces, except to the extent that it is convinced by the arguments on the point of law being disputed.

The decision makers' status must guarantee freedom from all outside influence. As we know, military personnel undergo periodic performance evaluations which can impact on their career advancement as well as their pay. A member of the military may therefore find himself in a situation where his performance as part of a court martial can be evaluated. The assessment might, therefore, reflect the satisfaction, or dissatisfaction, of his superior.

It is true, however, that the Queen's Regulations and Orders were amended several years ago to prevent any consideration relating to the performance of a member of the military from affecting his promotion or pay.

Can we reasonably believe, however, that this change in the regulations has had the expected results? In other words, can the person evaluating a member of the military really disregard that individual's performance in a court martial?

Similarly, can a member of a court martial panel really disregard the fact that he is running a risk if he goes against the will of the military establishment?

Despite the changes to the regulations, the risk is still there. What effect does this have? It leaves us with committee members who may not be totally independent and whose judgment may be influenced by outside forces or considerations .

Earlier we pointed out that the bill now allows non-commissioned members to sit on a court martial, under certain circumstances. This opening up of the system to include non-commissioned members is probably the result of the negative image projected by the court martial of certain members of the Airborne Regiment, in connection with the incidents in Somalia.

The public as a whole gained the impression from these events that the lower ranks were the designated fall guys, while the senior ranks escaped unscathed. These cases also left the impression that court martial panels were too heavily stacked with Defence Headquarters brass with interests to protect.

Now they are trying to reverse engines by indicating a willingness to allow non-commissioned members to serve as members of court martial panels. Imagine, however, the pressure there will be on non-commissioned members to go along with the wishes of high ranking officers on court martial panels. Imagine the pressure there will be on non-commissioned members to conform to the military establishment. Imagine the consequences on military careers of stepping out of line.

This is not an attack on the personal integrity of NCMs who serve as members of court martial panels. It must be admitted, however, that the knowledge that a general or disciplinary court martial panel includes a non-commissioned member in a position of vulnerability might cause a reasonable and well-informed person to entertain a reasonable doubt as to the tribunal's impartiality.

At the risk of being repetitious, I wish to say that my remarks are not intended as any sort of attack on soldiers. We must simply be aware of the risk of hierarchical influence.

The U.S. military court of appeal has already described hierarchical influence as the mortal enemy of military justice. Despite the sanctions in the Queen's Regulations and Orders for the Canadian Forces, the problem of undue hierarchical influence remains intact.

This does not mean that a court martial is always impartial, except that the knowledge that a general or disciplinary court martial panel includes soldiers might cause a reasonable and well-informed person to entertain a reasonable doubt as to the tribunal's impartiality.

The very composition of general and disciplinary court martial panels does not meet the requirements of section 11(*d*) of the Canadian Charter of Rights and Freedoms.

• (1650)

The bill does not answer concerns about the impartiality of court martials. Under the circumstances, would it not be appropriate to simply abolish the court martial committee, which, one way or another, will always be open to criticism, and replace it with a real jury of civilians, which would be more in keeping with the standards of impartiality and independence guaranteed by the charter?

I would also like to say a few words about the new commission to review complaints about the military police. Under the bill, the commission will examine complaints of misconduct by the military police. It will also look into complaints of interference by members of the Canadian forces and senior officials in the department in its investigations.

At first glance, there is merit in creating a new commission. Unfortunately, the Minister of National Defence missed the opportunity to give this body real powers to intervene, because the conclusions and recommendations of the commission are not binding. In fact, its conclusions and recommendations are reviewed by one of the authorities provided by the legislation. According to the type of complaint and respondent, the reviewing authority will vary. It may be a provost marshal, the chief of staff, the deputy minister or the minister himself. In other words, the final decision on treatment given complaints rests with one of these individuals.

Therefore, the commission has no decision-making authority, since the final decision on the handling of complaints rests either with the military—the provost marshal or the chief of staff—or with the executive—the minister or the deputy minister. The minister therefore considered it enough to create a body similar to the public complaints commission for the Royal Canadian Mounted Police, or its imperfections.

So what exactly is the point of creating such a commission when, in the end, the result is the same? Once again, had the minister really wanted to change things he would have created a commission with real powers instead of trying to fool us by setting up an empty commission?

In closing, I must say that the Bloc Quebecois will not vote in favour of Bill C-25. Contrary to what the minister claimed, we do not think that the amendments made to the bill will ensure transparency in the military justice system and increase its fairness.

On the one hand, the accountability mechanisms provided by the bill will not ensure a better review of the activities of National Defence and the Canadian forces. On the other hand, since the standards that apply to military justice do not offer the same constitutional guarantees as those of civil criminal courts, we cannot support the bill. It is a matter of respect for all military personnel. They, like any other Canadian citizen, have a right to be treated fairly. Otherwise, their right to equality before the law is compromised.

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MESSAGE FROM THE SENATE

The Deputy Speaker: 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 a bill to which the concurrence of this House is desired.

* * *

[*English*]

NATIONAL DEFENCE ACT

The House resumed consideration of the motion that Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts, be read the third time and passed.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, it is an honour to take part in this debate on Bill C-25. The bill was introduced last December. It proposes the most extensive set of amendments to the National Defence Act in the past half century.

The main focus of this bill and a key focus of the act is the military justice system, the distinct system of penal law applicable to members of the Canadian forces and other persons subject to Canadian military jurisdiction.

The eight parts of the act comprising the statutory basis for service, that is military offences and the procedures for enforcement, investigation, prosecution, trying and punishing those who commit them, are called the code of service discipline.

● (1655)

Service offences under the code of service discipline naturally include infractions which relate uniquely to military service. However, the code of service discipline also incorporates offences against the Criminal Code and other federal acts and with a few notable exceptions permits the military justice system to have jurisdiction over persons who commit them while subject to the disciplinary jurisdiction of the Canadian forces.

As we all know, the military justice system in recent years has been under increasing scrutiny and pressure for significant changes. One factor is undoubtedly the extended and unprecedented period of time since Canada was last involved in a major war and the perception that the chances of such involvement are remote. This situation tends to lead people to be less tolerant of any perceived systemic unfairness in the system and its retention of punishments perceived as excessive or anachronistic.

Another factor has been the adoption of the charter of rights and freedoms. This constitutional change has brought the military justice system as well as the Canadian legal system generally under increased public scrutiny regarding procedural safeguards for accused persons and principles of fairness and equality of treatment in general.

Particular attention has been drawn to aspects of the military justice system which reflect the disparity of treatment between soldiers and civilians or among military personnel such as the lack of certain traditional criminal law safeguards at summary trials; the fact that only junior ranks, private and corporals, and non-commissioned officers, master corporals and sergeants can be summarily sentenced to detention or reduction in rank; the considerable discretion of commanding officers in deciding to proceed with or dismiss charges, possibly including even serious criminal offences; and that persons exercising judicial functions or what would be judicial functions in the civilian system are frequently members of the chain of command who have no legal training and who have other apparently conflicting responsibilities for administering the code of service discipline.

In the past few years such issues and concerns have been brought to the forefront by various high profile cases such as those relating to misconduct by some Canadian forces members in Somalia and Bosnia, which has been well discussed here this afternoon.

Moreover, the 1997 reports on Somalia and the Dickson report recommended a series of changes to the military justice system. There have also been a number of other internal and external studies about possible reforms to our military justice system.

I want to take a few minutes to talk about some of the things that have not been addressed in Bill C-25 that came out of that Dickson panel. One is the office of the inspector general which was discussed at some length here this afternoon.

The Somalia inquiry recommended the creation of such an institution as a general supervisory and review body outside the chain of command. It did not happen. Whistleblower protection was another item that came out of the Dickson Report. Again referring back to the Somalia inquiry, it recommended specific measures aimed at protecting both those who reported wrongdoing in connection with Somalia, both at the time and in conjunction with the inquiry, and those who may do so in the future.

Another item that was conveniently ignored in Bill C-25 is trials by civilian judges and juries. The Somalia inquiry recommended that military accused charged with offences punishable by five years imprisonment or more have the right to elect trial by jury before a civilian court. The Somalia inquiry also recommended that all military judges be civilians appointed under the federal Judges Act with the same security of tenure as civilian judges. Again, this was not acted on.

On the independence of military police, a number of recommendations of the Somalia inquiry were directed at making concrete institutional and procedural changes to ensure the equal treatment of all suspects without distinction of rank and to insulate military police from direct or indirect command interference. This was not acted on at all.

It is not surprising that as a result one of the three commissioners, Peter Desbarats, called the shutdown the most brazen cover-up and denials of responsibility in the history of our country. He also said that the government's action were a brazen cover-up and a total denial of responsibility. Because the government opposite snuffed out the inquiry Canadians will never know all the truth about what happened in Somalia or who was responsible for the ensuing cover-up. It has to be constantly restated that this was the first time in Canada's history that a federal government shut down a commission of inquiry before that important work had been completed. It was profoundly undemocratic and an extremely dangerous precedent was set by the government in the previous parliament.

● (1700)

I want to draw my remarks to a close by referring to the charges of sexual misconduct in the military that have been revealed recently, particularly by *Maclean's* magazine, but by other news media as well. I want to talk about it in terms of a specific case that deals with one of my constituents, with whom I met less than two weeks ago. I want to put her case on the record.

Before I do that I want to say that, without a doubt, this was the most stomach churning, upsetting bit of casework that I have ever done in the brief time I have been here as a member of parliament.

Here are the key points as they were related to me. This individual, who was then 18 years of age, signed on as a female bosun. As I understand it, it was at a time when females were being allowed to take that position for the very first time, which was in

1989. She was dispatched to the west coast and assigned to a ship there.

During the fall of 1989 this individual said that she experienced several instances of unwanted and unwelcome sexual advances that included touching, rubbing, petting and patting. She advised that there was a particularly disgusting incident prior to Christmas 1989 when she was presented with a plastic penis from some members of the crew of another ship that was in port.

Following the break over the holidays this individual, who went in as an ordinary seaman and had been promoted to an able seaman, returned to the west coast. The occasional harassment and unwelcome sexual advances continued, including one incident of a male superior exposing himself in front of her on board the ship. However, nothing during the early months of 1990 prepared this individual for what took place on a night in early May of that year.

On this evening the individual stated that she was asleep on board the ship when she awoke to find a seaman in the cot with her. The seaman was partially naked. She says that she could feel his penis against her thigh and her bra had been pushed up. According to this individual, the male seaman had his hand in her underwear and a finger inserted in her vagina. Her screams awoke the other females present in this female only section of the ship, who in turn began screaming at the male seaman, who then apparently picked up some of his clothes and repaired to a female only washroom to get dressed.

The military police were called and the male in question was either arrested or detained. A rape kit indicated that the individual, despite the overbearing harassment, had not in fact been actually raped, but she was sent home on compassionate leave.

When she returned two weeks later she felt that she was being completely ostracized, excluded and was unwelcome by her peers and superiors.

• (1705)

The insensitivity of the military officials was heightened by the fact that she was forced to share a military bus on the base for two weeks with her assailant before somebody figured it out and changed one of their schedules so she did not have to go through this ordeal.

She eventually requested a leave. She could not go back on the ship. She was not much longer in the military before she sought to get out and was released from duty.

Although she was under psychiatric care in Esquimalt, when she left there she was not eligible for treatment and there was no military psychiatrist who could treat her. Her parents helped her out for a bit in terms of psychiatric help, but it was too costly and she stopped seeing anybody for professional help.

It is also worth noting that the navy lost all of her performance records and she was told that if she wanted to go back she would have to start all over again as an ordinary seaman.

My sense of this is that what the military did after this odious, horrible and shameful incident is as bad as the actual incident itself.

No one ever contacted her. She never had a chance to testify at the trial. No one has ever told her that she may be eligible for compensation under veterans affairs.

This is symptomatic of the problem we have in the military. We have low pay. We have low morale. We have a lack of leadership and we do not think that Bill C-25 begins to deal with the root of the fundamental problems in the military.

[*Translation*]

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

[*English*]

At the request of the the chief government whip the vote on the motion is deferred until tomorrow at 1.00 p.m.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, earlier today I tabled a motion and I am seeking unanimous consent to make a minor amendment in the sixth paragraph of the motion at the fifth line to add after the word question, ''necessary to dispose of the third reading stage of Bill C-37''.

The Deputy Speaker: Does the government House leader have the unanimous consent of the House to propose this amendment to the motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed

(Amendment agreed to)

* * *

INFORMATION COMMISSIONER

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved:

That, in accordance with section 54(1) of the act to extend the present laws of Canada that provide access to information under the control of the Government of Canada, Chapter A-1 of the Revised Statutes of Canada, 1985, this House approve the appointment of the Hon. John M. Reid, P.C., as Information Commissioner.

[*Translation*]

He said: Mr. Speaker, I am pleased to take these few moments today to submit to the House the candidacy of the Hon. John Mr. Reid for the position of Information Commissioner.

• (1710)

The Hon. John Reid, a native of Fort Frances, Ontario, studied at St. Paul's College, at the University of Manitoba, and at the University of Toronto. He was first elected to the House of Commons in 1965, and again in 1968, 1972, 1974, 1979 and 1980. He was parliamentary secretary to the President of the Privy Council in 1972 and became Minister of State for Federal-Provincial Relations on November 24, 1978.

For a number of years, he worked for a group well known to all parliamentarians, the Company of Young Canadians, to which he gave distinguished service.

Far more important in today's context is the fact that, during his time here, the Hon. John Reid was one of those in favour of our country's having campaign expenses legislation. He did excellent work in support of that cause. Many credit him for the existence of certain components of the legislation we now have in this area.

Later, he worked along with another former MP, Alfred Hales, and others, on the creation of an access to information system to allow the Canadian public to gain a greater knowledge of this country's government machinery.

[*English*]

The position of information commissioner, which we are about to fill, is not an easy one. It requires that an individual be dedicated to the ongoing development of democratic practices. It also requires that one be willing and able to express strong opinion, and yet have an excellent knowledge of the inner workings of government and of the public service.

The position was held, until recently, by Dr. John Grace. His term, as I understand it, expired on April 30, 1998, just a few days ago. I want to take this opportunity to congratulate Dr. John Grace for the work that he did as information commissioner.

Under the Access to Information Act, 1983, Canadians have a broad legal right of access to information recorded in any form and controlled by most federal institutions, but subject to limited and specific exemptions.

The information commissioner is a very special ombudsman appointed by parliament to investigate complaints about the refusal to provide information pursuant to the act. The commissioner's priorities are: to convince government to release information informally, without the need to resort to legal proceedings or the rigour of the courts; to follow, where possible, a non-adversarial approach; to resolve complaints in a fair, equitable and expeditious manner; and to ensure that response deadlines are consistently respected across government.

The position requires experience in managing at the senior executive level and in innovating and leading the management of a multidisciplinary team on sensitive issues in a public environment.

In addition to possessing a thorough knowledge of the Access to Information Act, and of course an understanding of the rules of natural justice and fairness, the commissioner must have an extensive understanding of the principles of public administration, current government structure, the internal government decision making process, the complexities of federal and provincial jurisdictions and government security requirements.

The government and I believe that the Hon. John Reid has the unusual kind of qualities necessary to achieve the desired result of providing information to members of parliament and the public, to respect the limitations that I have just described and to recognize the Privacy Act and the counterweight that it provides where appropriate and necessary.

• (1715)

In this regard I thank my colleagues in the House who brought the candidacy of the honourable John Reid to my attention and to

the attention of the government. Even though the honourable Mr. Reid was a member of a Liberal government in the past and sat as a member of parliament, I think the fact that his candidacy was brought to the attention of the government by members of other parties in the House speaks very highly to his qualifications.

I thank the hon. member for Winnipeg Transcona and the hon. member for Pictou—Antigonish—Guysborough for drawing his name to the attention of the government. Of course the government officially proposes the candidacy of an individual, which is what I am doing and what the government has done through the authority of the Prime Minister. Now I am seeking the consent of the House to have this nomination ratified.

The honourable Mr. Reid is an historian by training. As I said a while ago, he was a member of the House for a number of years. His brother, Patrick Reid, served for many years and was the dean of the Ontario legislature at the time that I sat at Queen's Park many years ago, so long ago that I even had hair in those days.

An hon. member: That was some while ago.

Hon. Don Boudria: ''That was a while ago'', says an hon. colleague. Probably the opposition House leader would understand just how I feel in that regard.

Returning to the honourable John Reid I want to say a word as well about the late Jed Baldwin. Jed Baldwin, a Conservative member of parliament, worked tirelessly for the adoption of the access to information laws in Canada. I remember as a junior staffer working on the Hill many years prior to my first election as an MP, walking by Mr. Baldwin's office and seeing him work tirelessly as he did then. I pay homage to him as well as a pioneer of this legislation.

With these few words, I offer to the House on behalf of the Right Hon. Prime Minister and the government the candidacy of the Hon. John Reid, PC, as information commissioner for Canada. I thank in advance my colleagues across the way for not only their generous support of the candidacy of the honourable John Reid but also for having drawn his name to the attention of the government, recognizing that it is the nomination of the government that will be supported hopefully later this day by the House of Commons.

I highly recommend this person. I believe he will serve the country faithfully as he did in his previous function. With access to information laws being what they are often individuals who administer those functions tend to do so and sometimes their judgment displeases the government more than they do the opposition. As we say ''Them's the breaks''.

I recognize that will probably happen every now and then once Mr. Reid assumes these functions. I certainly undertake to respect that as I am sure all of us will once he begins to discharge the duties of information commissioner. I am sure, though, that he will perform these functions with wisdom and that he will do a good job for the country he loves so much, Canada.

● (1720)

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I am happy to see so many of my colleagues here today. I will talk about the process of appointing an information commissioner.

We are going to support this appointment. I had the opportunity and indeed the pleasure to interview Mr. John Reid and I was quite impressed. I will go through a bit of the process. I hope to influence my colleagues on the other side that the process was not as harmful as they thought it could be.

During my lifetime I have probably interviewed 300 to 600 people. I lost count years ago. I have always seen a benefit in it. It is not just for bureaucracy but for business. The process of interviewing people is so common that it is uncommon not to do it. The selection process of any individual is common.

Mr. Speaker, I am sure you have done it in your past businesses. You have to know the type of individual you want in your business, in your company or in any job like that of information commissioner. You have to advertise as widely as you can to get the most prominent applicants. You have to look at all the applications and short list which does not come as a surprise to anybody over here. You have to interview, talk to the individuals you have short listed and make a selection. Then you check references to double check that your selection is right.

That process is not a strange process in the land but it is strange in the House. I do not want to degrade any conversation in terms of patronage appointments, but I really want to try to influence my colleagues that we have started a process which could actually work for officers of the House of Commons. Perhaps someday we could expand it. At the very least what should have occurred here is the process I was talking about.

Instead some time ago an individual was proposed by the government. I did not know that individual. I do not know how many of my other colleagues or the media actually need this function as much as the opposition and others do. Once the name was proposed there was quite a backlash. A lot of people said that the person was inappropriate for the job.

There are two problems with that. First, whoever thought this individual could be good enough for the job made a drastic error. Second, we managed to embarrass the individual. The individual had a job somewhere else and suddenly half the country turned on her because they did not like the fact that the individual could be an information commissioner. That process clearly does not work. It is very much like patronage.

Let us look at the process we went through further to that. Once that individual was basically turned down prior to even being interviewed or talked to, up came another name. Fortunately the

two of my colleagues who put the name forward had a good person in mind, but that may not have been. We took a chance. The government took a chance and said let us bring this person before the government operations committee to be more or less interviewed by members of parliament.

If that person had been much like the first individual it could have been extremely embarrassing. It turned out the individual was in my opinion quite competent. When we went through the interview process I asked questions as I normally would with hundreds of other people: what are your skills, what are your abilities, what are your qualifications, where are you going to take this job, and how does it apply to society in general and to the people who are looking for information. Lo and behold this person not only had good answers to those questions but had excellent answers. John Reid had excellent answers to those questions.

● (1725)

What is the impact? Here is the impact I think we have just gone through. John Reid in my opinion was a very good candidate. I will never know in my own mind whether he is the best because I only had one to talk to.

I am not belittling in any way, shape or form this individual because I think he will do a very good job. However I think even John Reid would be one of the first to admit that he could go against anyone else in an interview and probably win the job. I would have guessed had we gone and asked him that he would probably have insisted. That is how much I thought of this individual and his character.

We have left an open door on the whole process. We will never know whether we got the very best, but we do know we have a very good individual.

There is another impact of this process. What about all other well qualified individuals in Canada today? There are well qualified executives who have been replaced and are out of their jobs because their companies closed down or for whatever reason. These are well qualified people who would like access to these types of jobs. They would at least like to have the opportunity to compete. They do not insist they get the job; they just want the opportunity to compete. What we are telling good people out there is that they do not have the opportunity to compete. I think that is wrong.

I see another impact. Perhaps this is the positive part. I think we have come a long way. I applaud the whole House for that. However, the next time a position for another officer of the House becomes vacant I ask my colleagues to go through the process of advertising, go through the process of knowing what kind of individual they want, go through the process of a short list and interviews, and then at the end of the exercise they will truly know they have the best person beyond any amount of reasonable doubt.

We will support Mr. John Reid and I congratulate him. I think he is a very good candidate. I also congratulate my colleagues in the NDP and the Progressive Conservative Party who had the ability to assess whether or not this individual was good and put his name forward.

We have to go the next step. Just one more time, I think the government will realize that this one did not hurt a bit. It only gave credibility to the process. The next time it should try it all the way. From the official opposition's point of view, if the government goes through that process there will be no tomfoolery. There will be no games played. It will be business and it will be fair and square and above board at all times.

My congratulations to Mr. John Reid. My congratulations to a process that is halfway there and that has yet to come.

The Acting Speaker (Mr. McClelland): We are very quickly coming to Private Members' Business but we will start with the hon. member for Winnipeg—Transcona. I know the hon. member for Pictou—Antigonish—Guysborough has a few comments to make.

Mr. Bill Blaikie: Mr. Speaker, I do not know if it is procedurally possible to seek unanimous consent of the House to finish with this matter before we move on to Private Members' Business. I do not know if the member from Red Deer would be amenable to that.

The Acting Speaker (Mr. McClelland): The hon. member for Winnipeg—Transcona has requested unanimous consent of the House to extend Government Orders for a period of time long enough to accommodate five to ten minutes for the member for Winnipeg—Transcona. Then the hon. member for Pictou—Antigonish—Guysborough would have five minutes to finish with this and then proceed to Private Members' Business.

● (1730)

Is there unanimous consent?

Some hon. members: No.

The Acting Speaker (Mr. McClelland): It being 5.30, the House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

MILITARY MISSIONS BEYOND CANADIAN BOUNDARIES

Mr. Bob Mills (Red Deer, Ref.) moved:

That, in the opinion of this House, the government should seek majority support, through an official vote in the House of Commons, prior to committing a significant contingent of Canadian military personnel to an active military mission beyond the boundaries of Canada.

He said: Mr. Speaker, I will explain the motion further before I really get started.

I have not put specific numbers in there and that is intentional so that the government would use its discretion. We are not talking about three people going off for telecommunications duty. We are not talking about some of the smaller missions. We are talking about major engagements and about the kind of events that have occurred. Many of my colleagues across the way were very vocal during the late 1980s and early 1990s about the government's not coming to the House of Commons to talk about the issue, to inform Canadians and to seek permission of parliamentarians to send troops on these kinds of missions.

I am certain today that my hon. colleagues on the government side will be supporting the motion. I could list all the quotes from many of the people who are still there regarding the past government and how it did not talk to parliamentarians.

I want to relay some of the motivation for this. I want to talk first of all about some of the Canadian troops I have encountered as I have travelled in many parts of the world. Specifically I want to talk about our troops in Bosnia and Haiti.

I had the privilege of meeting with these troops in both these locations. In Bosnia I was there observing elections. I was part of the OECD mission to observe the elections, basically working for the European Union in terms of that observation role.

In Haiti I was travelling with the foreign affairs minister and at that time he and I together had an opportunity to see the kind of role our troops and the RCMP were playing in that situation.

I was proud of what I saw. I was proud of the men and women I had the opportunity to go out on patrol with. While in a rented car, a Swedish translator and I were out in the boonies and we came across a Canadian armoured carrier with a Canadian flag and Canadians soldiers. I flagged them down in the middle of the road and they stopped and asked what a member of parliament from Canada was doing in Bihac. They were surprised.

As a Canadian serving Canadian voters there was a pride there I cannot describe to the House.

● (1735)

The fact that they are there doing that job for all of us is something we should know more about. I really feel Canadians know little about what our troops are doing in foreign countries. If for no other reason, bringing that information to the House will help Canadians to find out exactly where we are sending our men and women.

I cannot help but relay to members the pride when those little kids took me to a school in Bosnia and said ''Look at that. There is a Canadian flag. There is a Bosnian flag. Your troops on their own time rebuilt this school, put the windows in it, put the desks up and we now have a school''. A little old lady took me to the hospital and said ''There is a Canadian flag and your troops on their own time came to this hospital and volunteered to do all kinds of things to make our lives a little better''.

As well I will never forget going into some of the really hard areas of Haiti on a 2.00 a.m. patrol. I saw the kind of relationship that our troops had built with those people in that very impoverished country.

We need to think about this issue and the motion at hand and what I am trying to accomplish in this private member's motion.

I love taking pictures. When I talk to a rotary club or when I talk to a chamber of commerce I have watched people's faces when they see those little kids, that little old lady or that hospital in some of those pictures. I have seen their faces light up with pride. They said they did not know we were doing that sort of thing. They did not know our troops got involved in that sort of stuff. All they have heard about is the negative stuff the media love to print. They have not heard about the schools or the hospitals and all the positive things.

To involve our young men and women in a foreign country I believe it is vital that we bring into this House and talk about this issue. I believe that the top down cabinet decision about committing to some part of the world is not acceptable.

We may hear these things come up overnight and we will not have time. Nothing comes up overnight. We knew about Bosnia. In the 1980s we talked about Bosnia and its potential. Many people thought Kosovo would be the place that would ignite first. It turns out that it might be the place that ignites last. We knew that something was going to happen there. We have known for 1,500 years that things were not well there.

I was in Rwanda in 1985. It was very clear at that point that there was a problem. When General Dallaire was there in 1990 he clearly told everyone there was going to a serious problem. He told us that there was a problem between the Tutsis and the Hutus. Nothing much happened. People were not made aware of it. These things do not just happen.

The Americans were in Haiti in 1925 trying to solve the problems of Haiti. They built schools and infrastructure. We know that 85% of the people are illiterate and do not have jobs. We know the potential places. We know the problems in Sudan. We know the problems in Nigeria.

● (1740)

It is a poor excuse to say that this would handcuff the government into not being able to discuss this issue. That is not possible.

Unanimous consent would be given in this House, I am positive, to discuss the issue when it comes to the lives of our troops going to a foreign country.

I do not think there is a single person in here who would dare stand up and oppose that sort of motion. To say it cannot happen is just not acceptable. To say it would handcuff the government is just not possible. That is what was said in 1990 and so on but that is not true. That is not an excuse.

How should we handle this sort of thing? How should we get accountability and transparency? How would it work in this House?

What I would like to put forward is a process something like this. Members are aware of the special debates that we have in this House. These special take note debates in the last case occurred the day after the press release and press statements were made downstairs, that this was what we were doing, extending our mission in Bosnia for a year and so on.

Then we had the next day the take note debate, of which there was an audience of one or two members. That has been typical. That is not what I am talking about. That is not an excuse for democracy.

What I am talking about is where we have a problem in the world the Canadian government says this is a problem we should get involved with and Canadians should be interested in.

We then come to this House and committee of the whole and we inform this House so that every member has the opportunity and the responsibility to be in this House to listen to experts. This is non-partisan politics.

This is where every member is going to hear from the military experts, the foreign affairs experts, the academic experts and about the history of that part of the world we are proposing to send troops to.

This is an education for us and for Canadians. I would even go so far as to say it would be to our advantage as parliament to vote some advertising funds to let Canadians know that on their national television network they will be able to watch and get firsthand expert information on Bosnia, on Haiti, on Zaire, on Nigeria, on Sudan, wherever it is.

We heard yesterday from parliamentarians from Pakistan. The question was asked of how to solve the problem in Kashmir.

The senator said the way to solve that problem and what Canadian parliamentarians could do would be to send a mission to Kashmir to see the atrocities occurring, 60,000 people dead so far, to report those to the international community and then the international community could take action.

That is a role he suggested he would like to see Canada play. That would be the best thing they could do to diffuse the issue in Pakistan and India.

Maybe that is something the government would like to propose and get the best information we can on. The second phase would be speakers from each party would from a military and a foreign affairs perspective present their party's opinion on sending troops to wherever it is.

There would be all party input. We would not have to listen to ten speeches, some of them written by researchers and simply read. People would speak who have worked on the issue, are knowledgeable about the issue.

Let us face it. We are busy enough in this place that members cannot be specialists on everything. They zero in on their little area of responsibility and that is what they work on. Those are the people we would hear from and I believe parliamentarians would listen.

● (1745)

There has been an information session of two hours. There has been debate for two hours. Now comes the most important part of all. All members who have received the information, have heard the positions of the parties would vote on whether we send our young people to some unsafe place in this world.

We have a responsibility. We owe it to Canadians to give them the opportunity to become informed and to know where we as parliamentarians stand. Then in a free vote we stand up and are counted.

To me that is a responsible way to decide whether we send troops to foreign countries. I cannot see how any government going into the 21st century cannot agree with that sort of approach. It takes care of the accountability factor. It takes care of the responsibility factor. We are responsible for every single life that we put in jeopardy when we send people to those places.

I would imagine that we would get unanimous agreement once we had gone through that process. I cannot believe that it would be very controversial. All of us would feel better. Canadians would be informed. They would know about what they are reading in the newspapers. As a result of that we would probably have done the best service that we possibly could.

Putting this in the form of a motion allows it to be transferred to the committee and the committee can fine-tune it. The committee can adjust and fix it however it wants.

That is the framework we are talking about. With that framework I believe we have taken an approach with which everyone can agree.

I truly hope that all parties will be in favour of that and will speak in favour of that and not use the tired arguments that we so often hear that it would tie the hands of government and that government is responsible. We are all responsible. We all want to share the information. We all want to share the pride.

We want to share the pride of knowing what our young people are doing over there. I find it very troubling that we do not know what they are doing. It is troubling that we have to hear all the negative stuff about our troops when there is so much positive out there.

A recent poll done by the government showed that 61% of Canadians want to know more about foreign policy. This poll was commissioned by the foreign affairs department and was tabled by the minister. The minister's poll said that 61% of Canadians want to be informed.

What better way to inform them than to start with peacekeeping and to inform them in the House. What better way to raise the profile of the House and of all its members, that we are really taking part. I would challenge any party or member not to be here for those take note debates. If they have young people in the forces in their ridings, they had better be here. If they have the parents or grandparents of those people in their ridings, they had better be here.

Canadians are going to be looking at them and saying it is a responsible way to make that decision. Canadians are saying that is what they want. The minister's polls have shown that.

This would lend legitimacy to budget figures that many people do not understand. There are budget figures of millions of dollars for missions. This would lend some legitimacy to the spending of that kind of money.

In conclusion probably the most important thing would be to tell our troops: ''We care. We parliamentarians are giving you an endorsement.

• (1750)

We have studied the issue. You have watched us on national television studying this issue. We have spoken to the issue and we have voted on the issue. We are saying to you that we are behind you. Canadians are behind you. We do not care what that media might do to you. We believe in you. We trust you and we are giving you our confidence''.

That is what it is all about. That is why I hope all members will see fit to support this motion. Adjust it, send it to committee and work on it, but this kind of concept should be carried through.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member for Red Deer has been a constructive and co-operative member of the foreign affairs committee. We sometimes disagree but not in terms of the general thrust of his positions. As I said yesterday in the committee, his ideas are listened to and we pick the best ideas out of them.

Let me say that there is a fundamental issue of constitutional law. The hero of the persons case was really not the five ladies, although they were magnificent, but the shy law lord, Lord Sankey, who actually decided, and it was a revolutionary decision, that women are persons. He also enunciated the concept of a constitution as a living tree, not a frozen cake of doctrine. One has to remember that with parliament. Parliament is evolving.

It was very surprising for the people who were elected and defeated before 1993 to come back to this parliament and realize how much has changed. In 1994, 1995 and 1996, and the hon. member for Red Deer was there, we changed parliament.

We instituted those debates on foreign policy and they went on to the early hours of the morning. There were 20 to 30 people staying until two or three in the morning to speak on these issues. This is something that was started by this government, continued by two foreign ministers, three defence ministers and it is not reversible. It is a change in parliamentary practice, the accessibility to ideas and the debate.

We have some problems with constitutionalizing in an American sense. The Americans put rigid amendments into the constitution and then spend their best time and best legal brains in evading that. We all know the provisions in the American constitution but we will remember that President Johnson with excellent legal advisers literally turned them around. If one looks at the Gulf of Tonkin resolution, one can see that it is a bypassing of the constitutional provisions.

What we would rather see is the evolution and continuance of the trends already established by this government and which have opened up the issue of peacekeeping to parliamentary opinion. There is a flexibility here that lends itself to problem solving in a very concrete sense. I will cite a perfect example.

When I became parliamentary secretary in the foreign ministry in July last year, there was an immediate issue of the extension, because it was raised by the American president and others in response to an emergency, of the mandate of our forces in Haiti. Parliament was out of session. Could we convoke it?

I took the step in consultation with the foreign minister, who I think was abroad at the time, of calling the porte-paroles of all the opposition parties and telling them what we proposed to do and asking them if they would agree while parliament was not in session. They all replied they would and I thanked them for it. I told them I thought we were making a precedent.

We have established in addition to the consultation of parliament when it is in session, the principle of consultation with the

porte-paroles when it is not in session. If one gets a strong expression of opinion that it cannot or should not be done, then it goes back to the minister.

In a very real sense the Prime Minister and the foreign minister are constitutional activists.

I look at the foreign affairs committee and it is astonishing the changes in that very august body, somewhat conservative in its approach in recent years before the new wave, of which the hon. member for Red Deer is as much a part as I am, of new members elected in 1993, the 208 new members.

I look at what we have done and at the report made by the foreign affairs committee, its special subcommittee on international trade, on the MAI, multilateral agreement on investment. That is as good a report as one could get from an American committee which is endowed with the power and with the legal officers, minority and majority. It is an excellent report and synthesis and breaks new ground. In any other major problem of that sort coming within the ambit of the foreign affairs committee, I hope similar studies will be made.

● (1755)

We have instituted travelling committees. One went to Bosnia. The hon. member for Red Deer had been to Bosnia on a previous mission. Another, headed by a minister to conform to the exigencies imposed by the Algerian government, went to Algeria.

A third one has just been to Chiapas, Mexico. Three opposition parties. That was an all-party group. It functioned as a team I am assured by the chair and all those who took part in it. It has reported back. It follows up our direct negotiations or consultations with the Mexican government and we expect it to be a standing concern of ours. There is a Mexican-Canadian parliamentary committee formed now.

That is what I call law in the making in a very dynamic sense. As the hon. member quoted today, we have had visits reciprocally. An Algerian group is in Canada today and we hope there will be another Canadian group in Algeria and one further following.

The committee is in evolution. I would cite also the example of the special regional study group, the foreign minister's proposal, the outer Middle East, the area between the classical Middle East and the Indian subcontinent, the unknown area. The foreign intelligence services do not give enough information. We will study it and I am delighted to have the co-operation and support of the hon. member for Red Deer in that because if it is a go-ahead as a foreign affairs study, we want all parties in it.

There is the change, evolution of parliamentary committees. That is the example of the pragmatic, empirical, step by step, problem oriented approach to constitutional development. It is not the American way, but we think it is more effective. It has that built-in element of flexibility. We do not have to hire a lawyer to get around the constitutional provisions which I think too frequently the Americans do that builds distrust and distaste for the constitution.

I think we have picked up the substance of the hon. member's idea. I will assure him that with his support and others, the role of the foreign affairs committee will keep expanding. I am very proud to have been associated with this committee, vicariously in a sense as the connection between it and the minister. The work is impressive and it represents a revolution in the style of parliament of the sort that was unknown to those whose parliamentary term ended before 1993.

If I may make to the hon. member a valuable suggestion, we would prefer the flexibility that now exists, but I would say the essential spirit of what he wants is there. The defence minister and the foreign minister accept parliament's interest, all parties' interest in the engagement of our foreign troops. There is the very clear understanding that if parliament is in session, parliament will debate to allow, under circumstances, 20, 30 and if necessary 50 members to speak. It may exhaust the occupant of the Speaker's chair from time to time, but I am sure the Speaker would agree that is a small price to pay for the cause of enlightenment.

This is law in the making in the Canadian way. I think the substance of the hon. member's suggestion is incorporated. By the way, there is absolutely no inhibition to the parliamentary foreign affairs committee to study this and other issues of constitutional change. It has already been suggested we examine the issue of treaty-making power. I believe I had a discussion with the distinguished member opposite on the subcommittee on that. May I simply say that that is a somewhat inactive subcommittee. I wonder whose fault that is.

Nevertheless let us face it. We like the idea of consulting parliament. The Minister of Foreign Affairs has made the changes. They are not reversible now and I expect a continuing momentum.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, I rise in this House to say that the Bloc Quebecois will support the motion by the member for Red Deer in which the member wants Parliament to play a greater role in the deployment of Canadian soldiers abroad.

● (1800)

The hon. member for Red Deer and I have, on a number of occasions, during the deliberations of the Standing Committee on Foreign Affairs, expressed concern over the process used to send contingents of soldiers abroad to serve in peacekeeping operations

under the aegis of the UN or NATO. We feel this process should be more democratic and involve elected representatives to a greater extent than in the past in the important decisions governments make and are asked to make increasingly.

The number of these missions is increasing significantly and requires today's armies, including the Canadian army, to play a major role in maintaining international peace and security.

I think the revolution mentioned by the Parliamentary Secretary to the Minister of Foreign Affairs is far from over. While it is true that, since 1993, there have been debates in this House and in the Standing Committee on Foreign Affairs on the issue of sending troops abroad, they have been held either in this House or in committee.

Those debates have had little impact on public opinion. They include the recent debate on renewing the mandate of the Canadian forces within SFOR, in which the Minister of Foreign Affairs followed by his colleague, the Minister of National Defence, spoke to a nearly empty House.

It is time to complete this reform. I think the motion by the member for Red Deer today is very constructive in this regard.

The member added a few words of explanation concerning the new three-stage process he is proposing in his motion, which provides that members of this House be adequately informed of the issues and intentions of the government and of the defence and foreign affairs ministers; that a real debate take place between members of all parties in this House; and that this House may express an opinion, this question remaining a matter of prerogative.

I would like to remind the Parliamentary Secretary to the Minister of Foreign Affairs, who gave us a crash course of sorts on constitutional law, that this Parliament could change this prerogative. It could even abrogate it, if it wanted to.

One may argue that the motion put forward by the hon. member for Red Deer could have been broader. Indeed, if it so desired, this Parliament could pass legislation, as other countries have, to ensure that parliamentary approval is required before forces can be sent abroad and expenditures made in this respect.

I therefore believe that the proposal of the hon. member for Red Deer is one that meets democratic and transparency requirements, which are not currently met, although we must recognize that there has been more debate on the deployment of Canadian contingents abroad.

We in the Bloc Quebecois have repeatedly been asked to comment on the way decisions have been made or announced, and debates prepared, since Parliament reopened in September, to discuss the deployment of Canadian contingents.

I said in this House before that, in my opinion, such a practice is inconsistent, that it lacks consistency and uniformity. Perhaps this lack of consistency and uniformity is what the parliamentary secretary seeks to preserve in trying to maintain the flexibility that all too often appears to suit the government.

• (1805)

We are therefore in favour of this motion, which I feel makes a very useful contribution to the debate on the democratization of government foreign affairs decisions and important decisions such as those to send contingents abroad.

I would also like to add, since the parliamentary secretary referred to this earlier, that the debate must be broadened to include additional foreign policy issues. The parliamentary secretary implied that the House, through its Standing Committee on Foreign Affairs, had been fairly closely associated with the debate over whether to approve the Multilateral Agreement on Investment.

This involvement or association is still too minimal. The only reason the issue of the Multilateral Agreement on Investment came to the attention of the Standing Committee on Foreign Affairs and its subcommittee was because there was a leak. The text of the MAI, or the draft agreement, was made public by a non-government organization that pointed out the problems that could ensue if Canada or other countries signed this agreement.

Here, too, and the Bloc Quebecois and your humble servant intend to follow up on this, it will probably be necessary at some point to introduce a motion or a private member's bill requiring the government to obtain the approval of the House before ratifying agreements, a trend that is surfacing in other countries and jurisdictions, such as Australia.

This trend toward involving Parliament in this will grow as the number and importance of international treaties, regulations and peace missions continue to increase.

What the hon. member for Red Deer is doing by tabling this motion is calling upon us to respond to a true democratic shortcoming, one which has the effect of giving the government in the parliamentary system with which we are familiar the power of common law, a power which has without a doubt become excessive, and which it must now give thought to sharing with the House of Commons, with elected representatives. These have the responsibility to be answerable to their fellow citizens for the government's leeway in setting Canada's foreign affairs policy.

When it comes to such vital questions as sending military contingents, the House must not only be consulted, it must also be increasingly integrated into the decision-making process. One day, without a doubt, it will want to take part in the process of deciding whether or not to send contingents.

In conclusion, then, in a world where there will be an increasing use of the armies, the military forces of nations, for maintaining international peace and security, it seems to me increasingly imperative for Parliament to be associated in such decisions as sending contingents abroad. The motion by the hon. member for Red Deer is, therefore, a most praiseworthy initiative, and one that deserves further refinement. It has the support of the Bloc Quebecois.

The hon. member for Red Deer can count on the support of the Bloc Quebecois MPs, and our parliamentary assistants, in further refining this proposal, and getting the government to share our conviction that it is in its best interest to share its responsibility with this Parliament.

• (1810)

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I am very pleased to speak to the motion of the hon. member for Red Deer and I congratulate him for bringing it forward.

This motion gives us an opportunity to debate something which I think is very important for this parliament to consider and that is the extent to which parliament is not properly consulted by this government and in many cases by previous governments on the occasion of Canada's armed forces being committed to military missions outside our boundaries.

That is not to say that we have not had debates from time to time with respect to various peacekeeping assignments. I can remember some of those debates because I participated in them. They take the form of ''take note'' debates. However, we do not have a debate in which parliament gets to express itself, up or down, yea or nay, with respect to a particular military mission outside Canada's boundaries, to use the language of this particular motion.

I would certainly want to speak in favour of the motion. I would speak in favour of deepened and broadened parliamentary consultation on the part of the government when it comes to making these types of decisions. This is not just out of respect for parliament. Something as significant as this ought to be brought before parliament in a meaningful way and not simply in a ''let them talk about it for a little while'' kind of way. It should be brought before parliament in a way that allows parliament to truly express itself.

By and large the types of things the government commits our troops to are things that would receive the support of parliament. Our military men and women could participate in these particular assignments with the comfort and the encouragement of knowing they did so with the full backing of the Canadian people expressed through their representatives here in parliament. That is the reason I speak in favour of this motion.

I listened to the parliamentary secretary, who outlined the extent to which he felt the government was already in conformity with the spirit of this motion.

Let me cite what I think is a glaring exception, that is, the fact that this government signed an order in council with respect to NATO enlargement, a major commitment of Canada's armed forces, beyond our boundaries, without it being debated for a single minute here in parliament.

Through NATO enlargement we are committing the men and women of Canada's armed forces to the defence not only of the countries which are already members of NATO, but to new members such as the Czech Republic, Poland and Hungary. Was this ever debated in parliament? We did not just commit our armed forces to the defence of those three countries, we committed Canada, given NATO's flexible use doctrine when it comes to nuclear weapons, to a nuclear exchange with whomever would breach those boundaries of the three new countries, in addition to the existing countries, without so much as a sentence being uttered in defence of that particular decision.

The shame and embarrassment of this is that we are the only country in NATO to be in this position. Every other country in NATO, and I have checked and studied this, with the exception of the United Kingdom, requires parliamentary ratification of a move like agreeing to the enlargement of NATO. But not Canada. Only in Canada you say. Not in Canada. In Canada a decision of this magnitude can be made by executive order. The United Kingdom can do the same thing because it has the same tradition of the crown being able to enter into these types of agreements.

But in the United Kingdom they had enough respect for parliament that they had a debate regarding NATO enlargement in the House of Commons at Westminster. Did we have such a debate here? Did we have a ministerial statement that members of the opposition could have responded to? No.

• (1815)

So imagine the embarrassment if we were to think it through given all the self-congratulatory rhetoric that we use about Canada being a great democracy and wanting to export our democratic values and culture to all these poor third world countries that need to be more like us.

Yet here we are in Canada where a major decision like this can be made without parliament's ever being consulted, without there ever being a parliamentary debate. All other members of NATO require some kind of congressional or parliamentary ratification.

I bring this up as a counter example to what the parliamentary secretary said. The government should examine its own parliamentary conscience with respect to how this transpired.

This major military and foreign policy decision could have been made without the benefit of debate in parliament. It is one of the reason I rise in support of the hon. member's motion. Although the motion does not particularly reference NATO or the enlargement of NATO, I think the member would agree that this is an example of the kind of thing he might have had in mind when he was framing his motion. I think he was probably thinking in a more routine way about various commitments of forces but certainly the enlargement of NATO involves a major potential commitment and actual commitment of Canadian forces. This was done without benefit of parliamentary debate whatsoever.

That is why I hope we would be able to pass the member's motion or that the debate on this motion would lead the government to examine its record in respect of this issue and others and improve its procedures accordingly.

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, I am pleased to speak to this motion because I will have the chance to reveal some truths about both the Liberal Party and the Reform Party, which put forward this motion.

While the Liberal Party has no interest in seeing parliament's having a real role in the most crucial national decisions, those involving sending young Canadians into danger, the Reform Party by wording the motion the way it has chosen to demonstrates once again it has absolutely no concept of foreign affairs or the way the real world works.

I want to read the motion so the House is clear on what I am speaking to:

> That, in the opinion of this House, the government should seek majority support, through an official vote in the House of Commons, prior to committing a significant contingent of Canadian military personnel to an active military mission beyond the boundaries of Canada.

The sentiment behind this motion is good and I applaud the Reform Party for that. Twice since this parliamentary session began in September the House has met to debate the government's decision to send Canadian troops abroad. The first instance was in February of this year. I remember it well. Let me share with the House the reasons why I remember it so clearly.

As tensions in the Persian Gulf grew because Saddam Hussein refused to allow United Nations weapons inspectors to do their job, United States and Britain continued to build up their power in the region. The situation looked very serious. It looked like there might be another war.

The Sunday before this House resumed sitting after the winter break the leader of my party called the Prime Minister and told him we were going to request an emergency debate. The Prime Minister and this House refused my party's request for an emergency debate. It was not until the following week after President Bill Clinton requested Canada's help did the Prime Minister concede that debate was needed.

He told this House that he had told the president that he could not give him an answer until it was debated publicly in the House. He told Canadians he would not give the President of the United States an okay that Canada's troops could be used until he checked with this House. That was not accurate.

U.S. Secretary of State Madeleine Albright went on U.S. television and told the world that President Clinton had Canada's support. That was on the Sunday morning, February 8. The Prime Minister did not tell the Canadian public that he had even spoken to the president until Sunday afternoon.

• (1820)

The same debate the Prime Minister said was necessary before he made a commitment to the Americans was not until Monday evening, February 9. By that chronology either the U.S. secretary of state said she had Canada's support before she really did or the Prime Minister gave the U.S. Canada's support before there was a debate. Under the latter scenario the Prime Minister fooled Canadians into thinking the debate had actual meaning. That is disgraceful.

The second time this House met to debate sending troops abroad was on April 28 of this year. That debate concerned Canadian participation in Bosnia, now under the NATO banner, beyond the current June 20 deadline.

The motion put forward that night by the government was that this House take note of an intention of the Government of Canada to renew its participation in the NATO led stabilization force.

Take note of the government's intentions; that is all that was accomplished on that evening. The ministers concerned in such a decision, a decision to keep young Canadians in a dangerous military zone, had the right under House rules to speak for 20 minutes. The Minister of Foreign Affairs and the Minister of National Defence split their time that evening. Keeping Canadian forces in Bosnia was not important enough for this government's ministers to take all the time available to them. That is rather disgraceful. It is disheartening to Canadians and to members of the Canadian forces who serve Canadians.

Let there be no mistake, when this government enters into a debate of crucial importance it is not because the Prime Minister is interested in the opinions of other parties. It has everything to do with optics, the show, the media.

I made the point that it should not have been a take note debate. I said that if this government had the courage it would not have been a take note debate but a votable motion. This government has no courage.

But just because this government has no courage, the Reform Party seems to think there has never been a Canadian government to show courage or that there will ever be a government that will show courage.

I am in favour of the sentiment behind this motion. Unfortunately the Reform Party as usual did not get it right. The phrase ''significant contingent of Canadian military personnel'' is not clear. The hon. member for Red Deer said it was to give the government more leeway. If we give it an inch it will take a mile, just as it does now. That is no change at all. I suppose I should give the member for Red Deer credit. I am sure he was under pressure from Reform leadership to include in his motion a referendum. Is that not what the Reform Party would like, a referendum to send a significant number of troops out of Canada? Would the party of referendum not support that idea?

The Reform Party has no faith in Canada's institutions, including the institution of the prime minister. To be fair, this Liberal government does not provide much reason to have faith. However, my party believes that the prime minister must have the ability to act decisively in times of crisis. That means sending troops at short notice when they are needed. Only a fool would pretend to know what sort of emergencies a prime minister will face. To say that there will never be a time when national security depends on the prime minister's acting decisively and immediately would not be prudent. I support the intentions of the this motion and I am eager to discuss it further with the member for Red Deer.

In my view one of the problems is that parliamentarians do not have the information the prime minister and cabinet have needed to make such a decisive decision. Most parliamentarians and, as is sometimes evident with this government, some ministers get their information from press and once in a while limited departmental briefing. In my opinion that is the root of the problem.

Earlier today we debated Bill C-25, an act to amend the National Defence Act. During this debate and at other times I referred to a report from the commissioner of the defunct Somalia inquiry called ''The Need for a Vigilant Parliament''. Its recommendations included having a real staff of experts that answered directly to the defence committee. This would inform parliamentarians, keep parliament vigilant and improve democracy.

• (1825)

Although this government does not have respect for this place, as was demonstrated earlier this week by not having members in this Chamber, I am eager to discuss this with the member for Red Deer and any other members in this House who are eager to make this place more democratic.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I am pleased to speak to this motion because I believe that any time spent by this House addressing the important work done by the Canadian forces is well spent.

In 1996 a similar motion was debated and at that time we did not support the suggestion that a vote be required before a deployment of Canadian forces abroad. This remains the view of the government.

Additional steps in the deployment process risk delaying our ability to respond. This must be avoided.

In the 1996 debate government emphasized its desire to engage parliament on troop deployments whenever possible. The government remains committed to this principle. A full discussion of any major deployment of Canadian forces is an important and valuable activity and we have engaged parliament on these matters.

In February of this year parliament debated the possible participation of Canadian forces in military action in the gulf against Iraq. The majority of this House supported a Canadian role if all diplomatic efforts were exhausted.

In April of this year the House debated the renewal of Canadian participation in NATO led stabilization forces in Bosnia. After thorough debate all parties agreed that Canadian troops should remain and continue the valuable work they are doing in that troubled country.

Also in April a special joint meeting of the committees on foreign affairs and defence was held discuss possible Canadian participation in a peacekeeping force in the central African republic. This option was chosen because of the need to make a decision and deploy troops as rapidly as humanly possible. Both ministers attended the special meeting and a unanimous resolution in favour of Canadian assistance was adopted.

This government has engaged parliament because that is what Canadians want. Canadians are proud of the role Canadian forces are playing abroad. They believe the world is a better place because of Canada's willingness to participate internationally.

Canadians also understand these missions can be very dangerous. As a result they expect their elected representatives to be engaged when a potential mission is being considered or an ongoing one renewed. We must take care, however, to ensure that Canada can react rapidly and effectively to international events. Why is this the case? It is because Canadians also demand that we have a defence policy that meets the challenges of the post-cold war era. This government has risen to that demand and our defence policy recognizes the new security conditions that shape the world of the 1990s.

It is worth noting that a special joint committee of this House and the Senate made an enormous contribution to developing this policy. The government rightly believed that the members of this

House would play a valuable role in helping define how Canada should act in the new international security environment.

Canadian action in the new security environment includes continuing our great tradition as the world's pre-eminent peacekeepers. The peacekeeping contribution of Canadian forces is second to none and Canada's commitment to peacekeeping has never diminished.

By the end of the cold war 80,000 Canadian military personnel had served and it is hard to devise a list of peacekeeping missions, UN or otherwise, which does not include prominent Canadian participation.

Many have suggested that Canada wrote the book on peacekeeping. This expertise is still required in the post-cold war era. It is true that this new security environment has much to commend it. The end of the bipolar struggle between east and west was a very welcome development. The threat of global war has diminished and in this sense the world is a safer place.

However, in other senses safety is hard to find. Regional security issues remain and in some instances are more threatening than ever. Recent nuclear tests by India and Pakistan are a good case in point. As well, we have seen the collapse of states into anarchy, and the cost in human terms has been staggering.

Conflicts fueled by ethnic nationalism have become a depressingly constant story in the daily news. These problems are demanding the attention of the international community. They are too horrifying simply to ignore.

• (1830)

By way of conclusion let me then say in most circumstances where a mission is about to be launched or where the government is considering renewal of an existing commitment, there will be time to engage parliament either through debate in the House or through the appearances of ministers and officials before standing committees.

The government will continue to take advantage of the views of the House. It is vitally important that the government retain the ability to act quickly and decisively where needed and when needed.

The now well established practice of consulting parliament in this regard has served us well. We do not support the motion because it risks delaying our ability to respond. I ask all members to take note of that accordingly.

The Deputy Speaker: I have been advised that when this order is next called the hon. member will have five minutes remaining of the time permitted for his remarks.

[*Translation*]

The time provided for the consideration of Private Members' Business has now expired and the order is dropped to the bottom of the order of precedence on the *Order Paper.*

GOVERNMENT ORDERS

[*English*]

INFORMATION COMMISSIONER

The House resumed consideration of the motion.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I would like to begin my remarks on the appointment of the new information commissioner by saying a word of thanks and appreciation to the outgoing commissioner, Dr. John Grace, for the work that he has done and certainly for the final report that he issued which contained a great many recommendations as to how access to information in Canada could be improved.

The matter of who is to be appointed the new information commissioner has been developing over the last few weeks. There are a few issues that I would like to set straight with respect to what has occurred over the last few weeks in terms of the information commissioner appointment process, how Mr. Reid's name came to be considered and how it came to pass that we are now considering his nomination by the government for information commissioner.

Before Mr. Reid's name came up the government had brought forward to House leaders the name of a Ms. Gusella who, as I understand it from being present at the meetings, said that she was prepared and in fact thought it was a good idea to go before a committee of parliament. However she wanted to know beforehand whether any of the parties disapproved of her nomination. If there was not this sort of prior approval she did not want her name to stand and subsequently would not want to go before the committee.

As it turned out, upon consultation people did have concerns about Ms. Gusella's nomination, not about her competency or her character or anything like that but just about whether or not, given her particular history, she was the appropriate person for information commissioner. I do not think it is correct to say her name was withdrawn. Her name was never put forward.

Subsequent to that it came to my attention that the government was considering Mr. Reid and that Mr. Reid had been suggested to the government, not by the NDP and not by me but by someone else.

At a House leaders meeting I inquired as to whether or not it was true that they were considering Mr. Reid and, if they were, would

they agree to allow Mr. Reid to go before a committee of parliament and allow members of parliament to form their own views of Mr. Reid. Not all members of parliament were in the position that I was personally, that is to say in a position of being able to remember Mr. Reid having sat in the House with him from 1979 to 1984.

● (1835)

Somehow my suggestion that if the government were considering Mr. Reid I would certainly be open to having him come before a committee to be questioned and examined by members of parliament has developed into a spin earnestly repeated on the floor of the House only a couple of hours ago by both the government House leader and the official opposition House leader that in some way or other Mr. Reid was nominated or put forward by myself and by the member for Pictou—Antigonish—Guysborough. This is simply not the case. I regret that this is so. I regret that even Mr. Reid has this perception. I saw a quote from him to that effect.

It is true that I inquired of the government whether or not it was considering him and suggested that it have him go before the committee. It is true that given my recollections of Mr. Reid's work in the House I was favourably disposed to the idea of having him come before other members of parliament and being considered for the post.

What happened was that the minute we asked that question the government said ''Isn't that a terrific idea'' and at 9 o'clock the next day Mr. Reid was before the committee. It is quite a stretch to imagine that the government was not considering this before I asked about it when he was before the committee the very next morning. There was no opportunity for what I would think was due process.

There should have been a day or two between the discussion of the House leaders and some notice that Mr. Reid was to appear before the committee so that groups concerned about Mr. Reid's appointment for a variety of reasons would have had an opportunity to communicate with members of parliament and with members of the committee who were to have discussions with Mr. Reid. This did not happen. As I understand, Mr. Reid acquitted himself well at the committee meeting by all accounts from everyone who was at the meeting. That is not the point. The point is that the process was not adequate.

I agree with the Reform Party when it says that surely the time has come, if these positions open up, for them to be bulletined, advertised or made public in some way so that the wealth of Canadians who may be qualified for such positions actually put their names forward, instead of names kind of bubbling up through the bureaucratic or the old boys parliamentary network or whatever it is, all of which is not evil in itself. It is just not adequate in a day and age when people should know that such positions are open and how to put their names forward.

In the case of the information commissioner it is a question of the person being an officer of parliament. We could have applications. People appointed by each of the parties could sit down, make a short list and bring it before a committee. They could make another short list and eventually arrive at someone who was the best person for the job. This would be far too rationale a process for anything parliamentary. I think that is too bad.

We have made some progress. The fact that Mr. Reid came before the committee, albeit in an inadequate way, was nevertheless a step forward. I commend the government for that tiny, baby step forward. It needs to go a lot further than that. It cannot be the kind of rush job it has been.

I regret very much the perception that somehow the government was just sitting there with an empty mind, not thinking about John Reid at all. Then along came the NDP and the Tories who asked ''What about John Reid''. ''Isn't that a wonderful idea? It never occurred to us before''. Then the government went on to kind of give the impression that it originated on the opposition side when we know that the government was considering it after it having been suggested by whomever.

I wanted to clear that up. I also want to put on record that we have concerns about Mr. Reid's appointment. One things that came to light in the days subsequent to his name being bandied about was his association with the nuclear industry.

● (1840)

Members who know me will know that I do not think anybody in the House has a stronger record of opposition to nuclear energy and nuclear power than me. I have had many private members' bills on this issue, some of which came to a vote. In the last weeks I raised questions in the House about the sale of Candu reactors and my opposition and the opposition of my party to them. However, having said that, I still do not think that association with the particular industry is prima facie evidence of some kind of character flaw.

We can disagree about the role of nuclear reactors and nuclear energy without making an ad hominem argument about the adequacy or the values someone would bring to a particular job. It is a legitimate concern on the part of a great many people that it is not just any industry, that it is the nuclear industry.

I have dealt with the nuclear industry for over 19 years in the House and before when I was an activist against nuclear power and the nuclear arms race. It is one of the most secretive cultures in the world. Trying to find out anything about the nuclear industry is like pulling teeth. It will bury you in inconsequential information. It will fill your home with documents and memos which would take

the rest of your life to read. To find the one thing you want to find out, the one thing that is absolutely critical, is very difficult.

Mr. Reid has an obstacle to overcome. He has to prove himself to those who are suspicious of him because of his former association that he can rise above the culture that he was immersed in and be a good information commissioner. I hope he will pleasantly surprise those people who are concerned about his nomination and about his appointment. I hope the concerns that many of my colleagues and I have about that association will come to be seen to be unfounded.

Only time will tell and it is important for us to put those concerns on the record.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I would like to ask a question of the member who just spoke.

He indicated it was a misrepresentation that the name had been put forward by him and the member for Pictou—Antigonish—Guysborough. Then a few minutes later he said it was true that they did.

If the member does not mind, I would like him to explain the mechanism. I am also terribly curious about who precisely he put the name forward to.

Mr. Bill Blaikie: Mr. Speaker, I do not believe I said what the hon. member attributes to me. I did not say that we did not and then we did. I said that we did not.

I explained the context in which I raised Mr. Reid's name in a House leaders' meeting because I was under the impression that the government was considering him and I wanted to know whether or not it was willing to send him before a committee. That is the context in which I raised his name.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am very pleased to participate in the debate. I am pleased as well to follow the hon. member for Winnipeg—Transcona as I often find myself in debate speaking on the heels of his remarks.

He has quite fairly and accurately set out or chronicled the events that led to the appointment we have before the House today. I do not intend to delve into any great detail other than to add that I think his chronology is quite accurate. I want the record to show that the Progressive Conservative Party put forward the name of Mr. Reid but in a very informal way.

It is important to note this was not a set in stone process. Suffice it to say the name was very well received and received in a very timely way by the government. As the hon. member mentioned, the timing of his appearance before the committee leads one to believe or at least be somewhat suspect that it was not a new name or the suggestion was not the pivotal factor in the government's decision to bring forward his name.

• (1845)

Be that as it may, we have before us an individual who is obviously very qualified, an individual who will fulfil the very important role of information commissioner. The information commissioner would be an officer of parliament and not of the government. That is a key point. The commissioner will be our commissioner, the commissioner of the Canadian people, the commissioner of this place, this House, not the government's commissioner. In light of that, I was pleased that I was a part of the consultation and part of a process that resulted in this nomination being before the House today.

Earlier speakers have touched upon the fact that we have seen an improvement in the process of the selection of the information commissioner. Although it is not perfect and some flaws still exist, it is an improvement. The hon. member used the expression of baby steps. It is perhaps a little more than that. At least now we have a transparent process that allows members of a committee to directly question the nominated candidate. I refer to him as a nominated candidate but it was really not that formal.

This name came forward as the result of a conversation between myself and the government House leader. I presume a similar conversation took place between the hon. member for Winnipeg—Transcona and the government House leader. The process moved along somewhat differently than it had in the past where the Prime Minister, on the initiative of a party suggestion I would assume, appointed the commissioner.

I do not intend to go through the entire chronology of what happened but there is a necessity in this debate to have a little review of the history of the information act itself. It is a proud history with respect to the involvement of the Progressive Conservative Party.

The Access to Information Act is generally acknowledged as having been sired by the late Ged Baldwin who sat as a Progressive Conservative caucus member from the district of Peace River. Mr. Speaker, you may remember the late Ged Baldwin. Mr. Baldwin began his campaign for the freedom of information legislation in 1969.

The Progressive Conservative government of the Right Hon. Joe Clark introduced the first government sponsored bill for access to information in 1979. Mr. Speaker, you would certainly recall that, being the student of parliament I know you are. The bill, which did not satisfy all of Mr. Baldwin's wishes, did go a long way to setting up what we now have before the House in the form of an information commissioner. Despite the casualty, the unfortunate fall of Mr. Clark's government, this initiative was continued by subsequent governments. The present statute was sponsored and passed by the Hon. Francis Fox in 1982 and was proclaimed into law in 1983.

A fourteen year struggle preceded the point we are at today. It was a struggle to forge what Mr. Baldwin called an unholy alliance of parliament and press and the public versus the bureaucracy. Mr. Baldwin saw the existing statute as a beginning. He placed great faith in the commissioner of parliament to improve the existing law.

After 15 years of experience with the 1983 law, it is generally recognized that the law needs review and improvement. The act was drafted before the explosion of computers, including the appearance of computers even here in the Chamber, and electronic mail which is routinely in use in parliament, and the universal use of the delete button that accompanies every computer. There are certainly new conditions, new physical parameters, electronic and technological advances that perhaps even Mr. Baldwin with his great foresight and knowledge of the use of information could not have foreseen in those bygone years.

These are important issues for us in parliament to address today. I acknowledge in the name of Mr. Reid which is before the House today, that who is better to advance this cause than a former parliamentarian? Who better to understand the needs of parliament itself than an individual who has been elected, a person who understands the system and how parliament works with the expectations and the pressures that come to bear?

• (1850)

I am pleased and state uncategorically that we in the Conservative Party support the nomination and the affirmation of Mr. Reid to this position. The Hon. John Reid has demonstrated an ability to achieve results within parliament. This will be very important in his new role as commissioner and certainly very important in the task he will take on to bring parliament into the 21st century.

He has a record of integrity and independence, a person who has shown he is not afraid to stand up for what he believes in when called upon to do so. He has told prime ministers and party leaders that they were wrong on occasion, perhaps at a cost to his own political career. He does bring a spirit of commitment to access to information, as well as a distinguished history of parliamentary service. I think this will serve parliament well.

Equally important, Mr. Reid is prepared to address the culture of secrecy that sometimes surrounds this place and is ever present in our public service. This challenge is formidable in the sense that we know a great deal of bureaucracy exists. There are times when the information is so extensive and massive it seems it is almost impossible to sort through the volume of information.

As the reports of the previous commissioner have pointed out, it is going to be a very challenging task that awaits Mr. Reid.

In closing, I acknowledge the diligent work of the retired commissioner John Grace. Mr. Grace served the Canadian people well, served the post to which he was appointed very well, and we are grateful to him. We in the Progressive Conservative Party and all Canadians are grateful to the yeoman service he did as the information commissioner. We are content that his vigorous efforts will be continued and strengthened by the appointment of Mr. Reid.

To put some finality on my remarks, I add the names of the caucus of the Progressive Conservative Party of Canada to the list of previous speakers wishing Mr. Reid Godspeed and congratulations for his well-deserved appointment. We hope that he will bring great honour and integrity to his new post.

Mr. John Bryden (Wentworth—Burlington, Lib.): I am pleased to have an opportunity to make a few comments.

One of the reasons Mr. Reid's name moved forward so quickly—and I do not know this through any inside knowledge—is that it was very obvious to many of us on this side that he is a very good candidate. It is not surprising that in informal conversation when his name came up, leadership on this side immediately latched on to it.

In speaking of Mr. Reid and the role that stands before him, it is not just a matter of the media and the public versus the bureaucracy. We must appreciate that the government has to keep some secrets very necessarily itself.

What we are looking at in this new access commissioner is somebody who will gain the confidence of both parties. It is not just a matter of acting for the media and acting for MPs, backbench MPs like myself or opposition MPs, it is also a matter of gaining the confidence of the bureaucrats who are charged with looking after the interests of the nation. It is not a matter of advocacy or of confrontation; what we really want is someone in that position who can win the confidence of both sides and make the necessary decisions that are ultimately in the national interest. In Mr. Reid we have just such a person.

I would also like to comment on Mr. Grace. Mr. Grace has been a superb access commissioner. The reports over the past few years have been superlative looks at the operation of government and the need for openness. As Mr. Grace steps down, we are on the threshold of a new era of access to information.

I hope, as with my colleague opposite, there will be new legislation or amended legislation coming before the House.

• (1855)

I hope my colleague will support that legislation. I ask him whether he or his party is prepared to support some of the private members' initiatives that are currently before the House on access to information.

Mr. Peter MacKay: Mr. Speaker, I acknowledge the eloquent remarks that seem to be a common theme with respect to this subject. I think they reflect the non-partisan nature which this process has unfolded.

Certainly Mr. Reid has a lot of the qualities that I think all of us are looking for when it comes to filling this important post.

The question itself is as to the support of the Progressive Conservative Party for individual private members' bills and legislation that is currently before the House. Without knowing the specifics of that particular type of legislation, I am certainly not in a position to wholeheartedly embrace any legislation without having first had the benefit of reading it. Depending on each particular bill, we would have a critic portfolio that would be assigned to look at that bill.

Any legislation tied to the Office of the Information Commissioner in the furtherance of openness and disclosure and transparency that is going to lead to greater confidence in government and greater confidence perhaps in the bureaucracy that surrounds us in this place would certainly be encouraged and supported by members of the Conservative Party.

In light of the debate in the last few days, we have seen that there needs to be a little bit of introspection as to the role not only of government but of backbenchers and opposition and the way in which we interact in this place. The information commissioner may very well be called upon in very short order to be an integral part of that process, when it comes to the interaction and the exchange of information that takes place between all members and other branches of the particular parliamentary precinct that we work.

I thank the hon. member for his comments. I thank the Chair for its indulgence.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, the hon. member mentioned during his speech the impartial nature of the information commissioner's job. As a former ombudsman and as a person who was involved with responsibilities for freedom of information, I would certainly concur that is one of the most important elements of the information commissioner's job.

The information commissioner must not only be impartial, but must be seen as being impartial. That is very important. I would echo the concerns that were expressed by our House leader in terms of the background of the individual being chosen. It is crucial that the individual must be able to show very clearly impartiality in dealing with these matters.

As a former colleague of Mr. John Grace, I would like to add my words of commendation in terms of the job that he performed in his role as information commissioner.

Mr. Peter MacKay: Mr. Speaker, I thank my colleague, the NDP member from the province of Nova Scotia. I congratulate him on the work that he has done prior to his arrival in parliament. I know that he is going to continue to do good work on behalf of his constituents.

With respect to the information commissioner, he has a depth of knowledge that may be of benefit to Mr. Reid at some point. I am sure that if he does not know Mr. Reid, in very short order he will become acquainted with him.

Again I think that the non-partisan commentary that has taken place in the last moments of debate here and throughout the process of selection of Mr. Reid is a very good and a very refreshing start. It is something that we can learn from, to rise above the partisan nature when it comes to these types of appointments.

I am sure the hon. member would agree that we are very hopeful and encouraged that the information commissioner role filled by Mr. Reid will continue in that same vein. Although he once wore the same red uniform of the government, I do not suspect that this is going to factor into his decision making. He has proven himself to be a man of great integrity and a man who realizes the importance of arm's length from government when it comes to the dissemination of information.

● (1900)

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I did not expect to rise in debate today because my House leader gave a fairly good summary of our stand on this particular issue. However, because I have been involved since I first came here in 1993 with access to information and the integrity of government I decided to say a few words. I was what was called for a while the ethics critic for our party. I was involved in the joint House of Commons-Senate committee, as you were, Mr. Speaker, in looking at a code of conduct for MPs and senators.

I have just had so much to think about on this topic that I thought I would take the time to share it. Normally I may not have, but because of the great motion that was passed by all the Liberals over there I have another nine hours to work today because we are going to be sitting until 4 o'clock in the morning. So I thought that I might as well make some good use of that time by sharing some of my ideas.

I would first like to talk a bit about the process because I think this is where the greatest flaw is in the appointment of a new information commissioner and, I suppose, generally in these positions. A phrase that I have heard is very appropriate here: ''We need to cast the net widely in order to get the best possible candidates''.

It is the same as with the contract just recently given to Bombardier. There was no tender. We have the government ministers telling us that it was a great deal for Canadian taxpayers, but we do not know if it is the best deal because others did not have an opportunity to bid on it. Even though there may be some validity to

the argument given, it still has its limitations because it was very exclusive.

I feel the same way about the appointment of the access to information commissioner. There was a name put forward and after a very short time that name was withdrawn because on a little bit of scrutiny there were certain tests that were not followed.

This was the process that was followed. A person's name was put forward and I think the government thought that maybe it would just be able to slide this through and move a motion or maybe a report that would be concurred in and, bingo, it would be done. However, it happened that there were certain facts drawn out and in a swirl of controversy the name was withdrawn.

Another name was then put forward, admittedly by a completely different process. That particular individual seems to have the approval of all of the parties. I know our House leader for the Reform Party gave Mr. Reid a good mark in his interview.

Through my experience in personnel management and being involved in interviewing and hiring people over the years, I found that even occasionally when we did in depth interviews with a number of candidates, checked references, looked at work experience and everything like that, in the end we may not have made the best decision. Most of the time we did, but sometimes we could have done better. I think that principle applies here as well. We should have cast the net wider and interviewed two, three or four people and then chosen from among them the one best suited.

I think that is all I will say about the process. Now I want to put out a personal challenge to Mr. Reid because it appears that in a very short time there will be a vote taken in the House and he will get the approval of the House and be appointed by the House as an officer of parliament.

● (1905)

I want to challenge him personally in this way. This might be a strange venue in which to do this since he is not here right now, but I am sure he will read this. It will impinge directly on his function and his work. Perhaps we will make sure that he gets a copy of *Hansard*.

First, the big challenge is to be fair. I understand that he is going to try to do that. However, there is going to be a great deal of pressure on him because he deals with situations in which there is conflict. The information commissioner is not involved if one of us in the opposition, or a backbench MP, or someone from the media puts in an access to information request. If that request is met forthwith in a timely manner, then the information commissioner is not involved because the process worked. Most of the time he will be involved when there is a conflict, when a member of the press, one of the aforementioned people, or a citizen who wants to know something about what is happening in a certain department of government puts in a request and for some reason that person is given the runaround. Perhaps delay tactics will be used. Perhaps there will be an excessive amount of white-out. Perhaps there will be letters saying that the information was not available or that it was not kept. That is when that commissioner becomes involved. He now needs to arbitrate. His job will be, in a way, to act as an ombudsman for the truth because that is what we are after. That is what Canadians have a right to know. That is what government, that is what business, that is what personal ethics are all about. They are about dealing in the truth.

I want to give him a personal challenge on behalf of our party, and hopefully on behalf of all parties in parliament, to be excruciatingly fair so that when he does come to those situations he will evaluate them based on the principles and laws involved. Is the person entitled to this information? If so, he will clearly and quickly order that it be granted. If it is not available, his explanations will be clear and defensible so that there is a build up of trust in that office and an increasing credibility among Canadians on how government works.

I have another challenge for the new commissioner, soon to be appointed by this House, and that is to avoid even the slightest appearance of favouritism toward the Liberal Party. I say that because he is a well known Liberal. He was a Liberal member of parliament. He was a Liberal cabinet minister. He has the Liberal label. For the next two or three years, unless the Liberals all walk out of the House and there is a change of government, we will have a Liberal government. Simply because he has that label he needs to be extra careful. I predict, almost with certainty, that in the next few years there will be charges that he is protecting his Liberal pals.

I see the Liberal member opposite shaking his head and I have a tendency to agree with him. I have a tendency to think that this is a man who will be fair. I am ready to give him the maximum benefit of the doubt. I am going to give him a fair chance. But he needs to be very careful because he has that label.

He assured us that he has no close companionships within the Liberal Party and that he will be fair. He told us that in the interview. I attended the interview that was held by the committee. It was refreshing to hear of his readiness to state that he would be fair.

● (1910)

I want to both warn him of the possible coming accusations and tell him that he needs to be doubly sure that he does not favour the Liberal government because, as the ethics commissioner is sometimes accused, he will simply be called part of the damage control team.

I have a few specific examples in which we were involved with access to information where information was not given which should have been given. We were not able to get it. We went through all the channels. I am not going to bring it up again because I dealt with it at length in the previous parliament. Suffice it to say that we asked for information and what we got were blank pieces of paper with a stamp on them. I do not remember the number now, but it was the number of a section of the act under which this information was withheld.

The information was withheld because it was personal. It should not have been on that document because the personal attachment to the individual involved should not have entered the government documents.

There was a conflict. We argued, I believe correctly, that having put that information into a public document it should have been available to us, notwithstanding that it was personal in nature. Our argument was that it should not have been there.

How will we get answers to that type of thing? I argued at the time and I will argue again that when there is such a conflict the way to answer it is to bare the truth. I remember being interviewed by the media on this subject. I said that the only thing that would clear up the controversy, which was not done, would be to simply lay it all out on the table and say ''Here are the facts. Here is everything. What else do you want to know?'' That is how we should deal with our government and departmental offices.

There has to be an accessibility to information that is clear, that does not attempt to befuddle the person who wants to get the information, that does not attempt to withhold the information and that does not attempt to deceive or to throw off track the road to the truth.

I have done two things in my little talk. I guess my role as a teacher and an instructor for many years is coming out. First you say what you are going to say and then you review it. I have done two things. I have talked about the process. I sincerely hope the government hears that message and, for functions like this, makes sure that the process is one of openness. It should be one where anybody can apply. A short list should be developed and then they can nail it down to the best candidate, the person best qualified for the job.

The second thing I talked about was the personal challenge to truth and openness.

I would like to see the information commissioner, the auditor general, the ethics counsellor and all such positions gain and earn an integrity in their own right where they are truly seen to be independent from the front bench of the government, particularly the Prime Minister, so that the people of this country can have the highest level of trust in their government. That is what the Liberals promised in the last two elections. It is slow in being delivered. We would like it to happen more quickly.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I want to express my appreciation for the remarks of the member for Elk Island because, as it happens, from the last parliament I remember the interest he expressed in the Access to Information Act and the initiatives he made.

He touches on a point that I do not think we can emphasize enough in this House and that is for opposition MPs, for backbench MPs, for MPs to do their jobs well, which is to question government whether on this side or on that side. But to question the operation of government we must have legitimate access to the documents of government.

● (1915)

We cannot have accountability without transparency. We are all agreed on this side of the House that we are about to make the correct move in the person we are putting forward as the new access to information commissioner.

I know the member for Elk Island will agree with me that surely the next step is to seriously review the current Access to Information Act because it has become old. It has become obsolete. There are too many ways to get around it.

I suggest to the member for Elk Island that the problems he has cited as examples in his remarks on his experiences with the Access to Information Act had nothing to do with the current commissioner or the past commissioner. They had to do with inadequacies in the act. The bureaucracy in interpreting the act interpreted the act honestly and correctly, we presume. Nevertheless the member opposite did not get the information he needed to have to ask questions in the House which I presume were relevant to all Canadians.

Does the member not agree that it is in the interest of everyone in the House, on the government benches, the front benches, the backbenches and in every opposition seat, to move now to review, to correct and to renew the Access to Information Act?

Mr. Ken Epp: Mr. Speaker, I practised succinct speech for many years, as I said, being an instructor and having to communicate in hopefully a clear manner. I have great difficulty now in the role of a politician in trying to give a long answer to the question the member asked. The answer is yes, I agree.

The Acting Speaker (Mr. McClelland): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to)

* * *

[*Translation*]

MI'KMAQ EDUCATION ACT

Hon. Lucienne Robillard (for the Minister of Indian Affairs and Northern Development) moved that Bill C-30, an act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education, be read the third time and passed.

Mr. Bernard Patry (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am pleased to address Bill C-30, an act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education, at third and final reading.

This is truly a historic piece of legislation. Indeed, it is the first time since Confederation that jurisdiction over education is transferred from the federal government to First Nations, where it belongs.

First, I want to thank the hon. members for supporting Bill C-30 at second reading. Education may be the single most important investment a society can make, and members from all parties recognized the need for young First Nations members to gain the knowledge and skills required in the new economy.

It was also agreed that education should be the responsibility of the parents and communities whose children are going to school.

• (1920)

I also want to pay tribute to the Mi'kmaq of Nova Scotia for taking this unprecedented initiative, which could open the door to many similar agreements with First Nations throughout Canada.

Participating Mi'kmaq communities have been determined, patient and committed in negotiating the terms of the transfer. Their efforts were guided by a single goal, that of ensuring a better future for their children.

I also want to thank the Standing Committee on Aboriginal Affairs and Northern Development for its thorough study of Bill C-30. Many witnesses appeared before the committee and most of them supported the bill and advocated its speedy passage. After thoughtful discussion of it, the committee returned Bill C-30 to the House.

Passage of this bill is essential to the implementation of the final agreement on the transfer of education signed by Canada and nine Mi'kmaq First Nations in February 1997. I would like to describe for you the main points of the bill and indicate their importance for the Mi'kmaq of Nova Scotia and native peoples in other parts of Canada.

[*English*]

I found the comments of one witness who appeared before the standing committee to be particularly insightful in explaining the impact of the proposed legislation. Chief Lindsay Marshall spoke on behalf of the Mi'kmaq band that opted into the transfer agreement.

What struck me most about Chief Marshall's presentation was this simple statement:

> For many years everyone except Aboriginal people themselves have been making decisions about Aboriginal education.

In a nutshell that is what we are trying to change with Bill C-30. We are paving the way for the Mi'kmaq and other aboriginal peoples to exercise real jurisdiction over education and not just administrative control.

Bill C-30 will begin to reverse the historic trend of taking local responsibility and accountability away from first nations. By supporting the legislation we can recognize the capacity of aboriginal people to take control over their own lives.

Through Bill C-30 the government will delegate jurisdiction for on reserve elementary and secondary education to the nine participating Mi'kmaq communities. These communities will also assume jurisdiction for post-secondary funding support for eligible residents living on and off reserve. Under the terms of the final agreement the Mi'kmaq must also provide equivalent education to non-members living on reserves. The level and quality of education must ensure that students can successfully transfer to any other education system in Canada.

To exercise this jurisdiction each Mi'kmaq first nation will establish its own education authority with a constitution that outlines its responsibilities, accountabilities and reporting structure or process for passing laws in a transparent appeals process.

Bill C-30 also provides for the establishment of a new Mi'kmaq corporation that will provide collective services to the nine first nations such as curriculum development, culture and language initiatives, and special education.

[*Translation*]

This transfer initiative was in response to a recommendation by the Royal Commission on Aboriginal Peoples that the First Nations be given greater control over education. It will consolidate the communities involved, in keeping with the objectives set out by the government in ''Gathering Strength'', our response to the report by the royal commission.

With the delegation of this jurisdiction, those First Nations participating will be able to set up the school curriculum for their children. Courses and programs offered will reflect the customs and traditions of the Mi'kmaq, and, in some cases, will be available in the Mi'kmaq language.

The First Nations will preserve their history as they prepare their students for the future. The result will doubtless be better education for Mi'kmaq children and youth.

I would remind my fellow members of the broad public consultation that was held at each stage of the negotiation of the final agreement on the transfer of education. In fact, this transfer initiative was inspired by the public consultations.

• (1925)

Over the five years of negotiations required to achieve a final agreement, there has been a constant bilateral exchange of information with the Mi'kmaq of Nova Scotia. Literally dozens of public meetings were held in the 13 Mi'kmaq communities of Nova Scotia. Presentations were made in First Nations schools, in academic circles, at the Nova Scotia Association of School Boards and before provincial education officials.

Information sheets were distributed to Mi'kmaq households, and information booths were set up at annual pow-wows and other events. Several stories on the education transfer initiative were published in *The Micmac-Maliseet Nations News*, the Nova Scotia aboriginal newspaper.

[*English*]

At the conclusion of the consultations a community ratification process resulted in nine Mi'kmaq communities opting to proceed with the transfer at this time. Any of these first nations may opt out of the final agreement in the future. Similarly the other four nations may participate in the legislation by having their names added to the schedule of Bill C-30 subject to a similar ratification process.

The Government of Nova Scotia has been consulted extensively on the Mi'kmaq education initiative dating back to early 1994. The provincial government confirmed its support for the transfer by signing a tripartite agreement with Canada and the Mi'kmaq chiefs in December 1996. Provincial officials were also consulted during the drafting of Bill C-30 as were the Mi'kmaq chiefs. As a result the legislation before us today meets the needs and expectations of all parties to the transfer process.

The government has received numerous letters of support for Bill C-30. For example, the presidents of St. Francis Xavier University, Saint Mary's University, Mount Saint Vincent University and the University of King's College have all endorsed the transfer as have the Nova Scotia Agricultural College, the Nova Scotia School Boards Association and the Most Reverend Colin Campbell, Bishop of Antigonish.

The Assembly of First Nations has written to the Minister of Indian Affairs and Northern Development to express support for this historic transfer of jurisdiction. The AFN sees Bill C-30 as a significant step in restoring Mi'kmaq governance. Most recently a letter of support was received from Premier MacLellan of Nova Scotia. The premier reiterated his government's commitment to introduce companion provincial legislation to Bill C-30 as soon as possible.

The most important statements of support came at the standing committee's hearings on Bill C-30 from witnesses representing the Mi'kmaq people. Rick Simon, vice-chief of the Assembly of First Nations, noted that education was the key to opening many doors that have been closed to first nations people for far too long. I quote:

> This bill sets out to change the course of education in a significant way—now is the time for change.

Sister Dorothy Moore, acting director of the Mi'kmaq services division of the provincial department of education, had this to say:

> As we move towards the 21st century, we the Mi'kmaq people more than ever before realize that quality education for our children is the priority. In order for this to happen, Mi'kmaq people must take control of their own education.

The chairperson of the Nova Scotia School Boards Association also appeared before the standing committee to endorse Bill C-30. Marg Forbes told the committee:

> Enabling the Mi'kmaq to be responsible and active participants in the education process should make it a very positive exercise for all.

The chiefs of the nine participating Mi'kmaq communities have passed a resolution asking the government to proceed with the legislation as expeditiously as possible. Quick passage of Bill C-30 is needed to begin the implementation of final agreements in advance of the 1998-99 school year.

With that in mind I ask hon. members to confirm their support for this historic transfer initiative by voting in favour of Bill C-30 so it can be sent quickly to the other place.

• (1930)

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-30, which concerns powers accorded the Mi'kmaq of Nova Scotia in the field of education.

I know that many Mi'kmaq from Nova Scotia are probably listening to our speeches, because this represents a vital step in the

right direction, in giving them control over their education. I will report on this later. Native people have told us that education was definitely a step toward self-determination, and I greet them as a brother.

First reading of this bill occurred on February 6. It transfers legislative and administrative jurisdiction over education. This means that the Mi'kmaq education council, which will comprise chiefs from the various signatory nations, will have control over education. Matters in this area will no longer be decided by officials in Ottawa. People in their respective communities will say ''This is how we are going to manage education. This is how we intend to provide an education that reflects our culture. This is how we will enrich education with the Mi'kmaq language''.

So this is very important for them and for the nine of the thirteen Mi'kmaq nations in Nova Scotia that have signed the agreement already.

Usually, according to the bill under consideration, I say a few words in a native language, but today I tried to highlight the tales of the Mi'kmaq, the fabric of Mi'kmaq tales. It seems to me it is always important to start this way to provide a background on the way the Mi'kmaq react and view not only education but life as a whole.

For those who do not know, the word ''Mi'kmaq'' has a particular meaning. What does it mean? It means ''people of the dawn'' or ''those the furthest east''. The first people in Canada to see the sun in the morning are the Mi'kmaq, the people of the east. So the notion of the sun is very important.

For them, the sun links the creator, man and the environment. It also provides an explanation of the origin of man and of the earth. There is often a very vivid image of the sun giving off sparks. The sparks give form to life.

The Minister of Citizenship and Immigration is very interested in what I have to say and I am delighted.

I now resume my comments. This spark takes three forms. There is one that disappears and decomposes after death, and one which transcends time, which ends up in the land and in the souls of men. The latter is called mntu and is considered by the Mi'kmaq to be the most important form. Finally, there is the spark that drives life, the good spark that helps people during their time on earth. All this is based on the concept that everything on earth is living.

To us, animals, plants and people are living things, but their belief goes further than that. People and plants are living, but so are bodies of water and animals. For the Mi'kmaq, all these entities have intelligence. That is why negligence is so discouraged by the Nova Scotia Mi'kmaq, as it is by many aboriginal nations. Negligence and waste are not common among aboriginals, precisely because of the great respect for all these sparks of life that make up the environment around them. They believe that the shell can disintegrate, but the mntu I mentioned earlier remains alive forever.

● (1935)

For them, a tree does not die. It will grow again on the spot where it fell. For them, an animal does not die. Its blood will seep into the ground and eventually bring about the animal's reincarnation.

This is important to any explanation of the Mi'kmaq philosophy. The legislation is perfectly consistent with the philosophy I have tried to explain.

The federal government is transferring its jurisdiction over education to the nine Mi'kmaq bands of Nova Scotia. I will list them all: the First Nations of Eskasoni, Membertou, Chapel Island, Whycocomagh, Wagmatcook in Cape Breton, Shubenacadie, Annapolis Valley, Acadia and Pictou Landing.

The convention leading up to this bill was signed on February 14, 1997 with the nine Mi'kmaq bands. Bill C-30 implements most of it.

The agreement is subdivided into several parts. One part addresses powers over education. What I said before still stands. Everything decided in Ottawa for the Mi'kmaq communities of Nova Scotia will, from now on, be decided by them. This involves transfers at the legislative, administrative and financial levels.

The financial aspect lends a degree of originality to the bill we have before us. Not only does it grant them full authority, but there is also a five-year plan, along with a transfer of some $150 million, which should have been a bit higher to include members who live off reserve. I shall get back to that later.

I wish to congratulate the nine groups that have signed the agreement and will now be associated in a school board on which the chiefs will be represented. The originality of Bill C-30 lies in the fact that there is an option that allows the four non-signatory communities to join the agreement at any time. If the government manages to come to an agreement with one of the four, that community can then join the agreement and be covered by the bill we have before us today.

This being a tripartite agreement, education normally being a provincial jurisdiction, the Government of Nova Scotia must pass legislation. I know that it is in the process of drafting the Mi'kmaq Education Act, and this should be in the final stretch, so that these people can take over control of their education.

I described this before as one step toward native self-determination. As we know, education is what enables all of us to achieve our full potential in life, and it is truly the gateway to freedom.

For the aboriginal people, education will open doors that have been closed to them until now. Chief Lindsay Marshall of Chapel

Island, whose immense contribution I must acknowledge here, said something most interesting when he appeared before the standing committee on May 26. I quote: ''Jurisdiction of education is a basic right that is enjoyed by all Canadians and a right that our Mi'kmaq nation has not exercised since the time of colonization of this country, 500 years ago''.

Phil Fontaine said he agreed totally with the fact that education was the path to self-determination. Generations of native people necessarily grow up with a system of education. It provides them with values, a culture and a language not their own. These people can never and will never be headed toward self-determination.

With the new reality before them, education will ultimately lead them to greater self-determination and to the preservation of their culture, language and heritage—all vital to native culture.

• (1940)

When these young people go to provincial schools, it is hard for them to speak Mi'kmaq and to take Mi'kmaq courses, because they are thrown together with non-native children. Now they can give their own language courses, teach their own Mi'kmaq culture and tales like the one I just told. They explain the origins of the Mi'kmaq, what they do, where they have gone, at what crossroads they may be.

We must not forget that, historically, we did all we could to deny the Mi'kmaq access to their culture, just as we tried to deny all aboriginal peoples the right to enjoy their own culture, language and heritage and to control their own lives. All that had been denied. Residential schools are a blot on Canada's history. They are the best example of the negation of native culture, language and heritage.

There, as in other parts of Canada, children were systematically taken from their families and placed in residential schools, all in the interests of assimilation. The ultimate goal was to wipe out native cultures and languages, to assimilate these people into Canadian society.

Many aboriginals who appeared before the committee told us that not only had this damaged their self-confidence, but it had also left them ashamed of their own culture.

There is no denying that the residential system was created to break the native culture, to assimilate it. In the end, it succeeded in crushing an entire generation of natives. With the help of God, the Creator as natives would say, we are trying to reverse this trend and recognize that there is a diversity in native communities and culture that will enrich Canadian and Quebec society.

An entire generation of natives was wiped out. This is a very shameful aspect of that era that was recently acknowledged by the minister in her reconciliation statement. She acknowledged that the residential schools were an appalling failure and that this concept should never have been developed.

I would now like to turn to another concept. Yesterday evening, during the infernal round of 80 votes that went on until 3 a.m., I read part of the royal commission's report. The concept of resettlement is one that has been underestimated.

The Mi'kmaq now listening know their history well. They are very much aware of how much they were victimized by their resettlement in Nova Scotia. By this I mean that certain communities were uprooted and moved elsewhere on all manner of pretexts.

The one that was used in Nova Scotia was administrative in nature. The public servants and Indian agents of the day said: ''They are too spread out. It costs too much to deliver services all over the place''. In the early 1900s, complete communities were shut down, often with the help of the churches and the Hudson's Bay Company. The latter would more or less bring about the automatic death of a village by announcing the closing down of its trading post.

This forced the people to move elsewhere to survive. Native people relocated to Eskasoni, on Cape Breton, and to Shubenacadie, on the mainland. Both of these are signatories of the agreement before us today.

Theirs is a tragic history. Even though the federal government was involved at that time in an attempt to uproot the aboriginal culture, we must congratulate the Mi'kmaq who survived all this upheaval. Today at last, they are not only seeing the light at the end of the tunnel, they have also taken a giant step toward total self-government. When our education is in someone else's hands, taking control of it must be the first step.

• (1945)

Bill C-30 makes up to some extent for this past fraught with meaning for them. Naturally, the Bloc Quebecois not only listened to all witnesses but it also proposed a number of amendments, which were unfortunately defeated yesterday. I think it is important to address these issues at third reading.

For instance, clause 7 of the bill provides that all the services I just mentioned will be available only to members living on reserve. Those living off reserve will not be admissible to the same education program, which means that they must attend provincial schools. Unfortunately, discussions on native culture, language and heritage will not be as extensive as they would be in their own education system. The government is discriminating against these people to a certain extent.

Why are these people not living on reserve? Often for reasons beyond their control. Let me read the provision which make the existing program applicable only to members living on reserve. Clause 6.(1) of the bill states, and I quote:

> A community shall, to the extent provided by the agreement, provide or make provision for primary, elementary and secondary educational programs and services for residents of its reserve.

That means you can be a member of any Mi'kmaq nation, but if you do not live on the reserve, you are not entitled to the same programs as the people who do. We introduced an amendment to include all members, but, for purely financial reasons, I think, the government and certain opposition parties unfortunately rejected the amendment. I was speaking earlier of the sum of $150 million to provide all services, and this measure, in our opinion, would have cost an additional $60 million.

I should point out that the figures we have for the Nova Scotia Mi'kmaq are approximate, but some 30% of community members live off the reserve. The government's decision is therefore deplorable.

In introducing my amendment, I discussed the situation of natives off the reserve, because it applies not only to the Mi'kmaq but to all native Canadians. In some communities, up to half the registered members live off reserve.

I find it deplorable that the federal government thinks two ministers should be responsible for this question. The Minister of Indian Affairs and Northern Development is responsible for all natives on reserves and for the Inuit living north of the 60th parallel. Another minister is responsible for Metis and native people living off the reserve, hence the discrimination we mentioned earlier.

I remember the government member telling me in response to the amendment that the federal government could not get involved in this area, that it was now a matter of provincial jurisdiction. That means that the debate over those not living on the reserve and attending provincial schools was a matter for the provinces. I cannot argue with that, but I think the government is quick to dump its fiduciary responsibilities for these people. I would even say that it is sometimes tempting to think that the government encourages them to leave the reserve, because their leaving would cost it less, and the provincial governments would then be responsible for them.

So the issue is one of equity and non-discrimination in our opinion. It is too bad that, in the end, the Mi'kmaq living off reserve will not be entitled to the same services as those on reserve. There will be a much greater inclination to try to assimilate off reserve members and include them in provincial programs that take very little account of the realities they face.

It is easy to understand why people do not really have a choice. There are also huge problems with respect to native housing.

● (1950)

Right now, overcrowding on reserves is forcing people to leave. The lack of jobs on reserves is also forcing people to look for work elsewhere. As soon as they leave the reserve, the federal government says that they are no longer its problem, that the provinces must take over. Because of this, three or four generations are sometimes forced to live under one roof. Sometimes, there are 16 people in one three-room apartment. Imagine how crowded that is.

For their well-being or in order to find work, people are forced to leave the reserve. This shows the importance of band membership. Those who leave the reserve are cut off and will become assimilated. We therefore have two classes of citizen.

It also has a negative effect on their culture. The more one visits Mi'kmaq reserves, the more one realizes that, when natives have their education under control, they can take back their native culture and language. They are in a better position to identify with their past, to have a clearer understanding of their roots and therefore of where they want to go in the future.

Some people will say that they do not want to see educational ghettos on reserves either, and they are right. Those who appeared before the committee told us that natives have been careful to ensure that the native curriculum is in line with post-secondary and university curriculums. They do not want young people leaving the reserve to be unable to pursue their education.

The idea is not to create ghettos, but to give them the opportunity to rediscover their culture, their language and their heritage and to develop pride in them, even at the post-secondary level. Those who are in the Nova Scotia school system will be at greater risk of losing their culture, language and heritage.

That was the reason for my amendment, to correct this situation. I wish to thank my colleague from Halifax West, who is here today, for understanding its impact and supporting it in the House. Coming from Nova Scotia he clearly understands, I believe, the Mi'kmaq dynamic in that province. I therefore congratulate him publicly for the position he has taken.

The motion was aimed at putting an end to the business of buck-passing between the federal government and the provinces. It was a lost cause and the provinces will be the losers, along with those living off reserve, who will pay for that loss with their culture, their heritage and their language. What I said before is true. The government rejected the motion because it would have had to fork out another $60 million.

This is deplorable, when the government is patting itself on the back for its zero deficit, for having a balanced budget, yet we know full well it has done so by cutting EI benefits without reducing workers' and employers' contributions. This is too bad, because this government will definitely end up with a surplus next year. It would have had the opportunity to redeem itself for past mistakes, but it did not take that opportunity.

Another amendment I felt was important was the matter of the treaty. The government has a number of possibilities once an agreement has been signed. It can either do what it did here, bring

in a bill, or it can confirm it in a treaty. The government opted for the bill.

I would like to read my motion, which was as follows: ''No later than three years after the coming into force of all the provisions of this Act, the Minister of Indian Affairs and Northern Development shall convene a conference composed of the signatories to the Agreement in order to determine whether this Act should be converted into a treaty within the meaning of section 35 of the Constitution Act, 1982.''

I felt this was important, because when I asked the public servants, their reply was: ''You know, it was the Mi'kmaq who did not want it''. When I asked the Mi'kmaq, their reply was ''Oh no, we did want it, but the federal government did not''.

• (1955)

We cited excuses such as ''If we set a sum of money in an agreement and then have to enter it in a treaty the money will be frozen''.

That is why the amendment I proposed aimed at giving the agreement and the bill a chance to remain in force for three out of the five years, at which time we would re-evaluate the situation with the nine communities—or ten or eleven, if more join—to see if we could convert it into a treaty.

The issue of a treaty is important. People who came to testify from the four communities that have not signed told us that they would be tempted to sign if it were a treaty or could become one. Even though the amendment was defeated, I encourage the government to pay a lot of attention to that, because treaties have a very symbolic value.

What does a treaty mean? Treaties are not just international. The first Europeans to arrive here signed treaties with the native peoples. For native peoples, treaties are solemn, almost sacred, because they are signed between nations.

So I invite the government to give serious thought to converting this agreement, now a bill, into a treaty. This would finally ensure protection under the famous section 35 of the Constitution Act, 1982.

The government preferred the bill approach. A treaty and a bill are two very different things. Even if the current approach is via a bill, perhaps the treaty approach a few years down the road should be looked into.

To bolster my argument that some aboriginal people would be interested, I would like to quote what Rick Simon, regional Vice-Chief of the Assembly of First Nations, for Nova Scotia, said when he appeared on May 26: ''We did talk about the concept of a modern-day treaty to education with protection under section 35, but the federal government was not willing to go that far. In fact, we spent probably six months in discussion back and forth to the point of a treaty not being the route to go.''

Naturally, the aboriginal people, being highly pragmatic, saw that they were faced with having to continue their battle for a treaty. In the meantime, the public servants in Ottawa would have continued to administer all educational services in the communities.

So they said to themselves: ''Let us move ahead one step at least. Let us accept conversion of the agreement of February 1996 or 1997 into a bill. Then later we will look into the possibility of its conversion to a treaty''. The bill we are looking at does offer that possibility, but my amendment forced the Minister of Indian and Northern Affairs to call the signatories together in order to examine whether it was appropriate to convert the agreement into a treaty.

The Bloc Quebecois will support Bill C-30. I also want to wish the Mi'kmaq good luck. I have no doubts about their ability to control their own education. I would even say that these people are capable of looking after their own economy, culture and heritage. They are entirely able to do so.

I have always thought that the way to end aboriginals' dependence on the federal government was through education, self-government, and land claims with a sufficiently large base to ensure financial self-sufficiency.

I am convinced that this is the only way to end their dependence on the federal government, which has led to a host of problems, including drug addiction, alcoholism, suicide, domestic violence and despair. These people must be given hope.

• (2000)

This educational reform is one step on the road to self-government and self-sufficiency, because it must not be forgotten that a society's greatest resource is often not its forests or its mines but its school children.

In closing, it is with great pleasure that I have accepted the invitation from several aboriginal leaders to travel to Nova Scotia this summer. At the end of July, I plan to go to Nova Scotia and meet most, I hope, of that province's native communities.

I think that the Mi'kmaq are one of Canada's greatest First Nations. I have been pleased, on behalf of the Bloc Quebecois, to help them on their path to self-sufficiency and self-government. I wish them all the best with their education program in Nova Scotia.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, I would like to begin by saying that I will be splitting my time with my colleague, the hon. member for Bras D'Or.

[*English*]

The Acting Speaker (Mr. McClelland): There is good news and bad news. The good news is you have 40 minutes; the bad news is you cannot split it.

Mr. Svend J. Robinson: Mr. Speaker, I rise on a point of order. I wonder if there might be a disposition on the part of the House to grant consent to allow the member to divide his time with the member for Bras d'Or.

The Acting Speaker (Mr. McClelland): The Hon. Member for Burnaby—Douglas is requesting unanimous consent to allow the hon. member for Halifax West to split his time. There would not be questions and comments. It would be 20 and 20.

Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Mr. Gordon Earle: Mr. Speaker, I am pleased to have the opportunity to address Bill C-30, an act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education. This bill would transfer jurisdiction for education of band members to nine Mi'kmaq bands in my home province of Nova Scotia.

Chief Lindsay Marshall of the Chapel Island Band, and chairman of Mi'kmaw Kina'matnewey/Education, stated to the Standing Committee on Aboriginal Affairs and Northern Development:

> Jurisdiction of education is a basic right that is enjoyed by all Canadians and a right that our Mi'kmaw nation has not exercised since the time of colonization of this country, 500 years ago.

This bill sets out to begin to undo that injustice and place far greater control over education at the community level.

I speak on behalf of the New Democratic caucus and our leader in support of Bill C-30.

While there are some concerns that need to be addressed, there is nothing compelling enough to prevent this transfer of authority from being supported by this House and becoming law.

I discussed this bill with many people in my home province of Nova Scotia, as well as with numerous witnesses appearing before the committee. I also have copies of letters of support for this historic legislation from the executive director of the Nova Scotia School Boards Association, the presidents of Saint Mary's, Mount Saint Vincent, and St. Francis Xavier universities, and from the University of King's College, as well as from the principal of the Nova Scotia Agricultural College and from the bishop of Antigonish.

This broad indication of support shows that we have come some distance indeed from the horrors of the residential school education that we are only beginning to confront and deal with today. The Royal Commission on Aboriginal Peoples described the premise of aboriginal education earlier this century as setting out to ''kill the Indian in the child''.

Chief Marshall in his remarks went on to say:

> For many years everyone, except aboriginal people themselves, have been making decisions about aboriginal education. This decision making process has had devastating effects in our communities. Some of these effects include social disintegration, loss of cultural identity and a lack of self-actualization. This proposed Bill C-30 will provide our leaders with the autonomy that is required to develop and implement culturally relevant curriculum that will promote the language, customs and traditions of the Mi'kmaq people.''

● (2005)

The chiefs of Eskasoni, Membertou, Chapel Island, Whycocomagh, Wagmatcook, Pictou Landing, Shubenacadie, Annapolis Valley and Acadia on February 14, 1997 signed an agreement to transfer jurisdiction for education on reserve. This bill set out to bring into law the intent and principles of that agreement.

Over seven years ago the Assembly of Nova Scotia Chiefs approached the Department of Indian Affairs and Northern Development and proposed that a Mi'kmaq education authority be established to assume total program control of First Nation education in Nova Scotia.

As a Nova Scotian and as aboriginal affairs spokesperson for my party, I am pleased that this is not the first education related initiative taken by Mi'kmaq in Nova Scotia. The band council of Chapel Island Potlotek moved last year to declare Mi'kmaq the official language of the reserve.

This bill represents not only a milestone in Mi'kmaq control over education in particular, but a step on the road to self-government. Bill C-30 sets out the powers, duties, functions and structures of the Mi'kmaw Kina'matnewey, or Mi'kmaw education.

This agreement provides for these communities the ability to pass laws for primary, elementary and secondary education on reserve for band members only. However, the Mi'kmaq under this agreement are obligated to provide equivalent education for primary, elementary and secondary education to non-members.

One of the highlights of the agreement is that an education standard is transferable between the Mi'kmaq nation and any other education system in the country.

As vice-chief Rick Simon of the Assembly of First nations stated:

> One of the important aspects of this agreement is that education standards are portable between the Mi'kmaq First Nation and any other education system in the country.

With the impending development of the territory of Nunavut, there have been many recent and disturbing reports of the difficulties faced by those who will be elected to steer our newest territory into being. While the national average of those 15 years of age or over who have completed less than grade 9 is 14%, for Nunavut it is 42%.

The more that education is made relevant to the life, culture, history and language of aboriginal peoples, the more that education will be pursued. Chief Simon notes that overall, aboriginal education levels achieved are roughly half that of the national average. These statistics are a testament to our history of using education, and I mean using in the most callous and exploitative sense, of using education to strip the cultural and spiritual being of aboriginal youth away.

Instead, it should be the reverse. Rather than stripping away the cultural identity of youth, education should be used to inspire, develop and feed youth on the strengths and lessons of their collective past in order to best achieve individual and community objectives in the future.

Bill C-30 is a step in ensuring that education instead of re-education becomes the norm.

For Mi'kmaq education is not a new idea, or a process that began with the negotiations early this decade. As Sister Dorothy Moore, acting director, Mi'kmaq Services Division of the Department of Education and Culture of Nova Scotia said to the committee:

> Mi'kmaq education did not commence with the arrival of the European visitors on this continent. It had been going on for centuries. Education was the basis of survival for centuries for the Mi'kmaq people. In the 20th century, the countless formal education techniques utilized to integrate and assimilate the Mi'kmaq students have met with failure, because these techniques have ignored the culture, the language, the history and philosophy of our people.

I recognize that there are many issues related to this effort still requiring resolution. Mr. Don Julien, director of the Confederacy of Mainland Micmacs, raised several important concerns. In particular is the issue of what lies in the potential void beyond the five year term of the agreement. Mr. Julien notes:

> There is no protection provided for a long term future of educational needs of the communities or the right of self-determination for the Mi'kmaq and the education of future generations. There is no commitment in an educational regime beyond the five year term of the agreement.

● (2010)

I supported an amendment that called for a conference three years after this legislation takes effect to determine whether this act would be converted into a treaty. As has been mentioned earlier by the hon. member for Saint-Jean, this amendment unfortunately did not receive government support at report stage.

Mr. Julien and others have pointed out that this legislation sets out geographic limitations of the reserve borders. Further, while there is no provision for covering Mi'kmaq off reserve, education must be provided under this bill to non-Mi'kmaq on reserves.

I spoke out earlier on this issue supporting an amendment that would extend the provisions of this bill to all members of the signatory First Nations whether they lived on or off reserve. Again that amendment, as has been mentioned already, did not receive government support at report stage.

While there are indeed issues that need continued effort, the provisions of this bill herald an important transfer of authority.

This government continues only to brush the surface of issues dealing with First Nations and other aboriginal peoples. If only this government would give a full response to the recommendations of the multiyear and multimillion dollar Royal Commission on Aboriginal Peoples. If only it would address the host of recommendations and discussion outlined in that report on education issues.

While this Liberal government does a serious injustice to aboriginal peoples by refusing to respond to its own royal commission, Bill C-30, this initiative by Mi'kmaq leaders and community members in Nova Scotia deserves our support.

As I conclude, I would like to congratulate the Mi'kmaq elders, chiefs, band councils, activists, community members, leaders and negotiators who have been involved over the year in reclaiming education for Mi'kmaq. I would also like to commend those in government, both staff and elected officials, who have worked co-operatively to bring this effort this far.

All of those who made representations to the committee have played an essential role in drawing out the issues at hand related to this initiative. The staff of the committee and the Library of Parliament were invaluable in aiding with the process and research on this bill.

Mrs. Michelle Dockrill (Bras d'Or, NDP): Mr. Speaker, I am happy to rise in this House to speak in favour of Bill C-30 concerning Mi'kmaq education in Nova Scotia.

As we move through this final legislative obstacle on the way to Mi'kmaq self-determination in the area of education, all I can say is finally.

Finally we are moving away from the repression of our ancestors who saw Mi'kmaq culture as a problem to be cured and not a heritage to be celebrated.

Finally we are turning self-government into a reality that will make lives better instead of words that make politicians feel better.

Finally this House can be proud of its contribution to the ongoing debate about the role of our First Nations in Canada's past and future.

Finally this is a bill limited in scope. It will influence less than 10,000 people in nine communities in one small province. In terms of the impact that the passage of this bill will make, I cannot overstate its importance.

This bill lays to rest once and for all the attitude expressed far too long by Ottawa, that we know what is best for aboriginal people, that we know how to provide the tools that they need to succeed. It is appropriate that that attitude be laid to rest for one simple reason. It was wrong. It was immoral and it failed.

Canada's policies toward the First Nations are a list of failures and crimes centuries long. More failures followed as we tried to correct previous mistakes: residential schools, and reserves that became ghettos. Even when we tried to do good it turned bad.

● (2015)

Is it any wonder that all of those great plans and schemes to civilize the aboriginal peoples, to integrate them with the mainstream of white western society collapsed. No, they collapsed because they suffered from one central and insurmountable flaw. They failed to involve the very people they were designed to help.

In many ways the Canadian government is still guilty of behaving in this fashion, of ignoring the concerns and ideas of aboriginal people as it creates policies which affect them.

Look at the Royal Commission on Aboriginal Peoples that submitted its huge and comprehensive report, only to see it shelved and ignored by the government. That was a report that had within it the voices of our First Nations and those voices have again been muzzled.

The choices that our governments have made bring shame on them and on the House. But Bill C-30 is a small light in the otherwise dark history of aboriginal Canadian relations. Here we see honest consultation among bands and among governments carried over several years, but with a definite goal in mind, the establishing of a uniquely Mi'kmaq education system for the bands of Nova Scotia.

My party's critic on aboriginal affairs has done an admirable job of presenting the New Democratic Party's position on the bill. He has walked the House through the legislation in a clear and concise manner, noting the flaws and the imperfections as well as the positive elements I have mentioned again here today.

What I would like to address are the broader issues that surround the package of Bill C-30, especially the often ill-tempered attacks made upon it by the official opposition.

The official opposition has made much of the word equality and painted a picture that has this bill as its focal point, a picture of special interest and hidden agendas that lurk darkly behind the facade of multiculturalism and fairness. Through coded words and oblique suggestion, the impression has been created by the opposition benches that Bill C-30 is a Trojan horse for some unspeakable invasion force that will soon be unleashed on the ''Leave it to Beaver'' world they would have us believe is Canada. This is shameful and reminds me of the bad old days I spoke of earlier. But worse than that, the impression it creates is wrong.

Chief Lindsay Marshall from the Chapel Island Pudletek Reserve located in my riding has been one of the principal aboriginal advocates for this bill and has worked tirelessly to promote it over the past years. In his testimony given to the Standing Committee on Aboriginal Affairs and Northern Development he stated the truth about Bill C-30 and the truth about the Reform Party's position.

The cornerstone policy of the Reform Party is equal treatment for all Canadians. There is concern that Bill C-30 will segregate the Mi'kmaq community from society. My response is that Bill C-30 will provide equal treatment to all Canadians, including Canada's aboriginal people.

For the first time since colonization, aboriginal people will have the right to make laws regarding the education of their children along with the rest of Canadian society. Furthermore, with the passage of the proposed Bill C-30 our education leaders will continue to work in close collaboration with the province of Nova Scotia to bridge the gaps that exist between First Nations schools and provincial school curriculum.

Significant milestones which contributed to the bridging of the gaps were achieved during the implementation period of this agreement. Among those milestones are: provincial legislation for the establishment of a Mi'kmaq education council; Mi'kmaq representation on provincial school boards; and the promotion of the Mi'kmaq language and culture in the public school program for both aboriginal and non-aboriginal students.

This is the truth of the origin and intention of Bill C-30. It is a bill that will create and enhance equality, not diminish or destroy it.

● (2020)

Perhaps the problem the Reform Party has with this legislation comes from the fact that this bill is grown from the very grassroots that party loves to talk about, from consultations with communities and individuals both inside and outside the reserves.

Instead of that grassroots generating negative and destructive impulses that divide instead of unite, this bill has proven the official opposition wrong. It proves that when we talk to people and respect their opinions they will often come up with solutions that

are inclusive, not exclusive, that look to the welfare of communities and not simply the desire of individuals.

The strength of this bill can be seen in the diversity of the bands in Nova Scotia. There are 13 Mi'kmaq communities and only nine have signed on to the provisions that will be enacted by this bill. The other four are reserving their options, consulting closely with Chief Marshall and others who support the process. They will wait to see. If they like the results they will come aboard as equal partners with the other bands.

Again this speaks to the strength of the bill and the processes that created it. If only the hon. members of the Reform party could advocate such a system of tolerance and respect, if only they could acknowledge that decisions do not consist of stark blacks and whites, then the political culture of our country would be better off.

It is often said that we have much to learn from our aboriginal people. I hope some of the points I have raised will illustrate that truth.

Bill C-30 is a flexible document that allows an experiment in independence and justice that is long overdue. It is also an example of what can be achieved when communities and governments put aside their differences and work in the collective interest because it is only when the collective is healthy that individuals can thrive. Perhaps that is the ultimate lesson which this debate will teach this House.

It is a truism to say that it is easier to destroy than to create, but it is a truism worth restating. I hope that all members of this House will take inspiration from this small act of creation and take pride in having voted to create a better future for at least a few thousand citizens of this great country.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, I have listened to the debate here this evening and I thought it was fairly even-handed, except perhaps for a few points which were made by a couple of members. I would certainly like to congratulate the government for introducing this bill and for steering it through the Parliament of Canada.

I agree with the bill. As the Progressive Conservative critic for the Department of Indian Affairs and Northern Development, it has been a pleasure to support it.

I would like to take this opportunity to recognize all of the members of parliament and the DIAND committee who worked on this bill and who participated in debate. I think most of them had valid points. Sometimes we do not always agree in committee, but hopefully instead of spending a lot of time trying to point out everyone else's mistakes in this House we can also recognize that because we do not agree it offers better debate and better answers at the end of the debate.

This bill, without question, will improve education on reserve in Nova Scotia. Without question there are a number of Mi'kmaq and First Nations people in Nova Scotia who should be recognized, but certainly above all Lindsay Marshall, the chief of Chapel Island, of Cape Breton Island, which is known in the Mi'kmaq language as Unama'ki. He certainly deserves recognition. He stands out in his field and deserves to be congratulated.

I have spoken several times on this issue. It is not my intent to stand here tonight and take the time of the House. I congratulate the Mi'kmaq people and the Mi'kmaq Nation in coming forth with this themselves, with pursuing this through parliament and with keeping the political pressure on the government and on all members of the opposition to support the bill. They deserve credit. It shows political leadership in the Mi'kmaq Nation in Nova Scotia. It shows their political leadership as citizens of this country.

• (2025)

The analogy that the hon. parliamentary secretary used when he was speaking tonight was interesting because I wrote down exactly the same analogy in my own words, except that I added a little more flavour to it than he did. He used the analogy of education being the key to success. I will read what I wrote down. I smiled when he was giving his analogy because I wrote: ''If education is the key to the door of the future, then surely this 36th Parliament has helped to open that door for the Mi'kmaq people of Nova Scotia''. I think that is true.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I want to raise an issue which is very important.

I listened to the speech of the member of the NDP party and, very frankly, and I say this as gently as I can, it hurts me deeply when they make accusations against me which are not accurate. They accuse me of having attitudes toward natives which are just plain false. I do not like that.

The Conservative member just gave a good speech which was supportive of the legislation, and yet the Conservatives have on their website a bunch of stuff which is really very negative toward me as a Reformer and as a person. I wonder whether he would want to comment on that.

I think we need to come to the place where as Canadians we work together and we do the Canadian thing. We care for each other. We look after each other. We make sure that all of these issues are properly dealt with. I would like to see an end to this kind of shooting of arrows that is only meant to harm.

Mr. Gerald Keddy: Mr. Speaker, in all honesty it is very difficult for me to respond to those comments. I am not aware of what is on the Progressive Conservative website.

I think I can say with a clear conscience, knowing our party's positions, our stance, our reputation and our history for even-handed and clear policy, that I would hope the member is mistaken. I would assume that he is.

However, I would like to say that I noted that all members in the debate on the Mi'kmaq bill, which is what we are discussing, offered clear debate. We were not always in agreement and probably will not always be in agreement. However, we have to listen to other sides of the argument if we want to come up with an answer at the end of the debate.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I rise today with my colleagues to address the Mi'kmaq education bill. We are now at third reading and still I find myself in the position of being unable to support the bill.

As was pointed out, all members in committee made positive contributions in the spirit of co-operation and respectfully hearing one another out. There was not this bitter attitude that seems to creep into this place all the time.

The fact that we did not manage to have the important amendment adopted that my party and I thought was necessary to offer support to the bill, which we would have liked to have supported had our amendment been adopted, is regrettable, but that is the way it is.

This bill would implement an agreement signed by the Government of Canada and 9 of the 13 Mi'kmaq communities in Nova Scotia.

• (2030)

Its purpose is to set up a corporation that has no share capital called Mi'kmaw Kina'matnewey. It exercises control over primary and secondary education. It is in effect more or less a school board.

The purpose of the corporation is to support delivery of educational programs and services under the proposed act. The members of the board will be the chiefs of the nine participating communities and are elected ex officio by virtue of their office.

They together will constitute the board of directors and will ultimately be responsible for management and conduct of the corporation.

The Reform Party cannot put its support behind this bill because we have one major problem with the bill. The chiefs themselves are automatically the members of Mi'kmaw Kina'matnewey established by this bill.

In my previous speech on this I explained that we wanted to see the bill changed in order that we may offer our support to it. We wanted it amended so rather than the chiefs of the nine signatory communities ex officio members of the board, they would be nominated and possibly elected if that was the purpose of the members of those communities. We wanted to open it up to other people as well.

We have no problem with the view that chiefs are politicians. It is their job to be visionaries, to see a position they can push to improve the life of their communities. In this case control of education for their communities was their vision. For that we commend them, that they should want to move control over education into the community. After all, it is their job to promote, to protect and to provide a legislative framework for things to happen.

It is my view also that politicians themselves probably should not be involved in the daily delivery of programs, the delivery of their own product. It just does not work that way in other areas. Why in this one?

We feel this board could be consisting of qualified professionals, experienced people who want to run for the board who have an interest in education, who want to make a positive contribution to their communities. This would be one way of doing it.

It may be housewives, businessmen or workers who want to make a positive contribution as grassroots people in their communities. They are denied unless they run for chief with all the additional responsibilities that being a chief implies.

For the chiefs being ex officio members, because they are dealing with millions and millions of dollars to manage the affairs of the board, it is another paycheque. We want to see economic activity spread around. There is concentration of paycheque. There is concentration of responsibilities on top of an already busy job and in an area in which the chiefs maybe are not necessarily expert. They will be involved in the delivery of educational products and services.

This may result in overall poor management and results even if the chiefs put in good will and hard work. It also makes sense that the members of the education board should have to be dealt with at the polls on the matter of education only and not on a wide variety of topics unrelated to education.

Why should the voter have to decide on an issue that is unrelated to their performance as chief whether or not they are returned? Certainly the chiefs I met are good people.

I must say when we got to this standing committee meeting we had quite a chorus of leaders from the participating communities. They were all chiefs or people who worked with chiefs.

An elected board dedicated to one purpose we believe is in the best interests of the people, in this case the people of the community themselves. They would want to deal with education boards on the basis of education.

• (2035)

The chief's have a broader outlook. It was their vision, as those people elected to lead their bands, that developed a police force and the education board. They should raise their sights to other things important to their communities and maintain contact with people on those issues. They should leave behind the management of the

things which they have established by their hard work, initiative and vision.

We feel that it concentrates too much power and too much work in the hands of the chiefs. That is why we want to see this bill amended. Obviously it is not going to be amended but that was our desire.

Our support on this bill was contingent on having this basic and fundamental amendment passed. We know what happened in committee. The Liberals voted it down. They lined up against it, as did members of other parties who do not have the strong democratic tradition the Reform Party is developing in this country and which is attracting voters from coast to coast.

We asked why would they vote against such a common sense amendment. They do not have the democratic and accountability tradition that comes with being a Reformer and growing a party based on those principles that the Reform Party is based on and grew from. They would like things to continue the way they are.

We have a number of other problems with the bill. It does not have the full backing of all the communities. Four of the thirteen bands in the province did not sign on to the agreement. During the committee stage these people came forward as witnesses and expressed some serious concerns regarding this bill. It was the grassroots people from the communities who expressed reservations.

The chiefs and their people who were fully on side. There was a major concern with the Nova Scotia board of education. It would have liked to see this amendment.

Band members who are not in leadership in a band gave a much different point of view. There was a concern with consultation. People did not understand the implications of the bill that was being put forward to them. Their concern also was too much power in the hands of a small group of people.

Is that not what democracy is about, giving power to the people, the people at the bottom end, the people who require and receive the services on a daily basis for their quality of life? The people who are affected are not certain they will receive the benefits of the education programs the board will administer. They do not want to see the chiefs constitute the members of the board.

We have seen these cases before. Funding is put in at the top but it does not seem to get down to the people who need it. We do not have to look very far to see that happen. I am not saying it will happen in this case but the potential is there because of the concentration of power.

We think it would be wise for the government to pull back on pushing this bill through and take time to investigate properly some democratic amendments and see if they cannot be made to work. The issue was raised in the House and in committee that people will not listen to an elected person who does not happen to be a chief. But we all know that if a chief did not seek re-election or did not get elected he would not lose all his standing in the community by that one simple election. He would be considered an elder in his community forever. He would have a lot of standing and a lot of status and people would look to him for leadership, although not in a legislative sense.

We reject the premise that the people would not listen or care what was said by an elected board. We believe there are enough people in these communities who can provide leadership and are willing to provide leadership, capable people who could take up the leadership available to them if this bill is amended to provide for an elected board of education.

● (2040)

In this party we are great advocates of the equality of all citizens and our ultimate goal is that all aboriginal people fully participate in society, their own included, that they would not be denied because they were not chiefs of a band.

Our party regretfully does not support this bill because it grants special powers and rights to the chiefs rather than spreading it out throughout the band. We have expressed concern that the people who are served by the bill could be separated further from mainstream Canadian society by retreating into an education system set up particularly for native people.

We think all Nova Scotians should have the opportunity to hear how the Mi'kmaq governed themselves, how they lived before we came here, how they live now, how they have evolved in their society, their governing structures, their families. All the things that matter to Canadians and to Nova Scotians and to the Mi'kmaq should be available to them through the regular school system.

We are not opposed to the entire concept of the Mi'kmaq's having control over their education. We just want to see that control diffused a bit, not so concentrated in one group.

The bill has been referred to on occasions by the department of Indian affairs and the Assembly of First Nations as important and historic. Those words are important to burn into our consciousness, this important and historic piece of legislation that will establish a new relationship between aboriginal people and the federal government.

When it is brand new there cannot be any excuse for rushing it through to royal assent. We need to take the full time and if people are raising legitimate concerns, we need to hear them. If they said they had not properly involved themselves in the consultation process, it is their responsibility to get there but it is our

responsibility to ensure they get there and that they raise their concerns.

The reason this is important and historic is this is a blueprint for further action by other bands. It will not be the end of the road for this bill. While it was stated that this bill is sure to increase educational opportunities for Mi'kmaq, it is really only as we have concrete evidence that it makes a difference, that we will be able to make those assertions. Otherwise they are merely educated guesses at best and the proof will be found out only when we have gone several years down this road. It is a road that we cannot come back from, so I urge the government to put some more thought into this thing and not rush ahead.

Let us get it right the first time and not have to go back and try to figure out a way to amend a bill that we see is flawed in such a fundamental way.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, I find it extremely interesting to hear the views of the hon. member, views which represent the Reform Party's position on this bill.

I also found it very interesting that the hon. member mentioned other parties are supporting this bill because those other parties do not have the strong democratic beliefs Reform Party has. Yet the views expressed to me seem so contrary to democracy.

Here we have a situation in this bill where aboriginal people have spoken out as to what they want, what they would like to have, and yet we have a party saying ''what we say is much better, it should not be your chiefs, as you have decided, it should be your populace in general''.

• (2045)

When we talk about democracy, we have nine bands agreeing to it and four that are not. We know one principle of democracy is that majority rules. I do not know what kind of votes the Reform Party takes when it exercises democracy, but certainly to me nine out of thirteen is a majority. The fact that the other four still have the option to opt in is a very important point as well. We have to question the views surrounding the objection to the bill.

We also hear questions and commentaries, and this is a commentary. The hon. member indicated that he was afraid this system would separate aboriginal people from the mainstream of society. How much more separated can aboriginal people become from the mainstream of society under their own system of education and their own sense of control than has been the case over the many years we have tried to make aboriginal people similar to everybody else?

We have tried to ''civilize''. We have tried to ''assimilate''. Efforts have been made by the Canadian government over the years to do what it felt was right for aboriginal people rather than allow aboriginal people to create for themselves what they know to be in their best interest.

Now the same attitudes are coming forward again: unless it is done our way it is not right. I find this to be very disturbing. I urge very strongly members who promote that view to stop and look in a mirror and have a second thought about what they are actually saying. I urge hon. members in the House not to be swayed by those arguments as we debate and as we consider the passage of what is truly historic and important legislation.

Mr. Derrek Konrad: Mr. Speaker, notwithstanding the name of the party of the hon. member who just spoke, we do not think it is as democratic as its name might imply.

I said that there did not seem to be the level of consultation necessary for a bill termed important and historic. Nobody is denying that we can move power down particularly from the government to the people. We want enough people to have a say and express their opinions to be sure that is the direction in which they want to go.

As to whether or not the current system has worked, in places it does and in places it does not. A number of chiefs, their executive assistants and education people appeared before us. They were well educated, well spoken individuals under the current system. To think that we could put all the people into a basket and say they are poorly educated because they were educated under a system that is foreign to what we experienced in our past is ridiculous. People will flourish under a multiplicity of systems.

This is one that may work very well for these people. When something is as important and historic as the bill—and it may well prove to be one of the more important ones when it comes to how an entire generation is raised—it is surely not too much to expect real consultation so that we are sure we have democracy.

The Acting Speaker (Mr. McClelland): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): The House has heard the terms of 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. McClelland): All those in favour of the motion will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. McClelland): In my opinion the yeas have it.

And more than five members having risen:

● (2050)

The Acting Speaker (Mr. McClelland): Accordingly the vote stands deferred until tomorrow at approximately 1 p.m.

* * *

CANADIAN WHEAT BOARD ACT

The House resumed from June 8 consideration of the motion in relation to the amendments made by the Senate to Bill C-4, an act to amend the Canadian Wheat Board Act and to make consequential amendments to other acts.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, despite the late hour it is a pleasure to rise tonight to address the Senate amendments to Bill C-4, an act to amend the Canadian Wheat Board Act and to make consequential amendments to other acts.

Before I get into the thrust of the Senate amendments I would like to address the process by which we find ourselves at this point this evening. I feel very strongly that it is a faulty process. We have seen that despite the pleas of western Canadian grain farmers upon which the bill will impact tremendously their concerns have largely gone unheeded by the government. The process by which the legislation has moved through parliament is very faulty.

If we look back to the early days of the 36th Parliament we find a commitment by the hon. minister for the Canadian Wheat Board and Natural Resources to bring forward the bill very early in the new mandate following the last election, and he did so. I think the bill came in, in early October. With the new process it moved directly to committee stage rather than having second reading debate, despite the fact that the majority of the opposition members in the House of Commons received a substantial amount of correspondence from western Canadian grain farmers about their concerns with the legislation. Despite that the government moved it directly to committee.

That process in itself is supposedly to allow more time at committee, more time in which to consider substantive amendments, more time in which to receive witnesses' testimony, more time in which members of all the various parties can cross-examine witnesses at committee stage. Yet what we found was an accelerated process even at committee.

The government with its majority on the standing committee for agriculture moved the bill very rapidly through the committee stage and back to the House for report stage. Sensing this, the opposition parties held back their amendments rather than put them forward at committee stage and see them voted down with very little attention paid to them and put forward at report stage.

● (2055)

Unbeknownst to us what we saw, unfortunately for western Canadian farmers, was that the government moved very quickly once it came back to the House for report stage and brought in time allocation to shut down further debate despite the fact that we had not had substantive debate at committee.

We see a process that is deeply flawed and the government is not listening to concerns of farmers. Despite the fact that there were some 48 amendments brought by the four opposition parties at report stage in the House of Commons, of which about 30 were from the official opposition, they were voted down. They received very little time in debate because of the government's move to bring in time allocation.

We saw very substantive amendments such as Motion No. 1 which would have amended the preamble to the bill to ensure that the newly structured Canadian Wheat Board would act and govern itself in the best interest of farmers. We saw amendments such as the one put forward that would have removed references to the president as a member of the board of directors so that the board of directors would have the power to hire and fire the president and CEO rather than that power resting with the minister as it currently does in the bill.

We saw amendments to make the 15 member board of directors fully elected rather than the existing 10 of 15 elected with the other 5 appointed by the minister voted down by the government. The list goes on. Substantive amendments were brought forward not only by the official opposition, by the Reform Party, but by all opposition parties. It was noted at the time during the abbreviated debate that probably nowhere else in the history of agricultural legislation had a government managed to anger everyone across the full spectrum dealing with the Canadian Wheat Board.

We saw people from every aspect who were deeply upset with the legislation and the fact that the government was not listening to the concerns of farmers and forging ahead with it despite their wish to see amendments brought forward. The amendments that were put forward by the opposition were in direct reply to the concerns we heard expressed both at committee and in correspondence and direct communication with farm groups.

During the presentation of the member for Brandon—Souris on Monday evening when Bill C-4 was before the House he expressed his opinion that the Reform Party and I had contradicted ourselves by criticizing the Senate amendments.

We have to look at what these amendments are to accomplish. The official opposition as well as all opposition members as soon as Bill C-4 went from the House of Commons to the Senate encouraged the Senate to hold hearings in western Canada to hear

directly from western Canadian farmers about their concerns with the legislation. The Senate to its credit did that.

When I was criticizing the Senate for the end result I was not criticizing the fact that it undertook the process of at least going out to hear from farmers. Unfortunately it did not listen to them and bring forward the amendments that farmers are deeply seeking.

I come back to the single biggest flaw in the legislation over and over again. It is the lack of freedom of choice. Under Bill C-4 farmers will continue to be heavily fined or even thrown in jail if they cross the U.S. border to market their grain. This is unlike options that will soon be available to Ontario grain producers.

● (2100)

One must question why the double standard. Reformers have been doing that consistently and certainly western Canadian farmers have been doing that consistently. Why is there one set of rules for Ontario grain farmers and a totally different one for western grain farmers?

This fundamental flaw with this legislation and with the operation of the Canadian Wheat Board will result in the divisiveness continuing. The elections this bill will put in place for those 10 producer positions on the board of directors will end up simply in a battle between producers who are pro single desk selling, favour the present mandatory system, the status quo, and those producers who favour greater freedom of choice, democracy and a fully voluntary wheat board.

We will end up having elections whereby farmers probably will be casting their ballots not for the candidate they believe brings the greatest skills and expertise to managing a $6 billion a year enterprise but rather for a single issue. Are they in favour of maintaining the single desk selling structure of the Canadian Wheat Board or are they in favour of greater freedom of choice and looking at options that will allow farmers to market some or all their grain outside of the Canadian Wheat Board? I think it is unfortunate that farmers will have to make that choice when they go to the ballot boxes, likely this fall, and vote for these 10 producer positions.

The standing Senate committee on agriculture and forestry tabled its report on Bill C-4 on Thursday, May 21 after spending thousands of taxpayer dollars travelling across western Canada to hear what farmers thought of the legislation. I have referred to that and I actually applaud the Senate's initiative to get that feedback.

It became very clear throughout the hearings, even to some senators, that the majority of farmers were unhappy with the legislation. Farmers told senators they wanted more marketing options outside the Canadian Wheat Board and that the inclusion clause allowing for more grains to come under the Canadian Wheat Board's jurisdiction had to go.

While some farmers were optimistic that the Senate would propose substantial changes to reflect this testimony, the Senate proved yet again that it is simply a puppet controlled by the government.

I intend later in my presentation to move some subamendments to the five Senate amendments.

Of the Senate amendments brought forward the first amendment is consequential to the second and the second will really require that the minister consult with the board of directors on the appointment of the president and CEO. The minister still retains the power to arbitrarily appoint the president for the first year after the changes come into effect.

We believe, and we made these amendments when the bill was before the House before, that it should be the board of directors with total control of appointing or ultimately have the power to fire the CEO and president if that person is not doing their job.

I will be proposing a subamendment to this that would turn this thing around and ensure that it is the board of directors that has that power and that it must consult with the minister before it appoints the CEO, not the other way around.

The third Senate amendment deals with the auditor general. This too was an amendment brought forward by the Reform Party to open up the Canadian Wheat Board to audits by the auditor general and to the Access to Information Act.

We have repeatedly demanded that the Canadian Wheat Board open its books to the auditor general. We applaud this as a tentative first step. Here too there are some great deficiencies in what actually has taken place with the way this amendment is worded. This amendment does not stipulate that the auditor general must make his findings public. A report made simply to the minister is ineffective and inadequate. This is a one time opportunity. No further audits are stipulated. In addition, the amendment does not specify which year or years of the Canadian Wheat Board operations the auditor general is to audit. Conceivably the focus of the audit could be 20 years ago and nothing more recent.

● (2105)

When consulted by opposition MPs about this amendment the auditor general's office wrote a letter to the minister for the Canadian Wheat Board outlining his concerns with this amendment. Legal counsel at the auditor general's office were uncertain how this amendment would actually fit into the mandate and legislation governing the operations of the auditor general. The letter expressed concern that the apparent intent of the amendment as drafted would not provide a great deal of value for the money.

I too will be presenting a subamendment which will if passed ensure that the auditor general has an ongoing role to play in auditing the Canadian Wheat Board and ensure that he has the greatest amount of flexibility in how he conducts those audits, and ensure further that he reports as he should and as he does in other cases to parliament and not simply to the corporation and to the minister responsible.

The last two amendments the Senate brought forward deal with the exclusion and inclusion clauses. The fourth amendment is with the exclusion and the fifth the inclusion, and they are consequential with one another. Here too what we see is the Senate has merely reverted to basically the status quo and added one small hurdle where the minister would have to consult and hold a plebiscite were he to include any new grains.

We have already heard over and over again how farmers feel about this prospect, as slim as it might be, that there would be additional inclusion of other commodities under the Canadian Wheat Board's mandate. It is simply unacceptable. Once again I will be moving a subamendment.

I could go on to talk about some recommendations that the Senate made in addition to these amendments, but I do not have the time. Therefore I will get to my subamendments.

The recommendations are not binding whatsoever on the government or on the minister. That is a great flaw as well. I think some of the recommendations have some merit and I have said that publicly. But they are merely that, recommendations. They are not amendments. Farmers in particular in western Canada should clearly understand that. The recommendations dealing with the electoral process for dividing up the election of the directors is on a geographic basis and the amendments dealing with the contingency fund cap are just recommendations. They may or may not be acted on.

That brings me to moving my subamendments. I move:

That the motion be amended by deleting all the words after the word ''That'' and substituting the following: ''a message be sent to the Senate to acquaint their honours that this House agrees to amendments number 1 and 4, made by the Senate to Bill C-4, an act to amend the Canadian Wheat Board Act, and this House agrees with the principles set out in amendments number 2, 3 and 5, but would propose the following amendment:

Amendment 2 be amended by replacing all the words in section 3.09(1) with the words ''The president is appointed by the governor in council on the recommendation of the board of the directors and holds office during pleasure for the term that the board of directors may determine.'' and by replacing the word ''Minister'' in section 3.09(2) and 3.09(2)(a) with the word ''board'' and replace the word ''board'' in section 3.09(2)(a) with the word ''Minister'';

Amendment 3 be amended by replacing all the words in the first paragraph with the words ''Within two years after the day this section comes into force, the Auditor General of Canada shall commence auditing the accounts, financial transactions, information management systems and management practices of the corporation for such fiscal years as the auditor general considers appropriate and reports of those audits shall be made to the corporation, the minister and parliament''; and

Amendment 5 is amended by adding to section 5 the following: ''(c) producer participation in the Canadian Wheat Board is voluntary''.

In other words, amendment No. 5 would not pass and it would not be allowed under any circumstances to include more commodities under the Canadian Wheat Board until such time as the Canadian Wheat Board is voluntary.

● (2110)

The Acting Speaker (Mr. McClelland): The amendment is in order.

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, it is obviously the silly season. The Liberals did not listen to the amendments initially when they were tabled by the official opposition, by me and by other members of the opposition. It seems they do not wish to listen to logical amendments at this point in the debate of Bill C-4.

Some hon. members: Oh, oh.

Mr. Jay Hill: Mr. Speaker, I rise on a point of order. I would request that you instruct the Liberal members opposite to try to hold it down a little. I would be interested in hearing what the member for Brandon—Souris is saying as he adds to the debate on my subamendments.

The Acting Speaker (Mr. McClelland): That is a very reasonable request.

Mr. Rick Borotsik: Mr. Speaker, thank you. It is late not only in this sitting but in the evening. As hon. members across the way have suggested that perhaps I should give it to the hon. member for Prince George—Peace River, the only thing I will give the hon. member is marks for perseverance. I will give him marks for putting together an amendment that has been discussed ad infinitum at the committee level as well as in this august Chamber. It is an amendment that would make the legislation better.

I had the opportunity to speak to the Senate amendments. I spoke in favour and somewhat reluctantly to the Senate amendments. Frankly, a lot of the amendments put forward by the Senate were debated and discussed among the opposition members during committee. I give the Senate credit for being able to put a better piece of legislation forward. It is not the best piece of legislation by any stretch of the imagination but it is a better piece of legislation because it deals with a number of very sensitive areas. It has assisted in putting forward some not terribly major or substantive changes but minor changes that would assist in this piece of legislation.

As we all recognize, the government is the government and it will pass this legislation in some fashion. It is unfortunately a fashion that will not solve any of the problems in western Canada. When the legislation passes it will probably exacerbate the issues and the problems now faced by western Canadian producers.

● (2115)

In fact I would suspect that with the faces in the House now, it may well mean we will be dealing with this legislation before the 36th parliament is adjourned for good. I think it will come back before the House within the next three years.

I want to speak to the amendments that were put forward. The Progressive Conservative Party will be supportive of the amendments that were put forward for the simple reason that we have in general terms put these amendments forward ourselves in the House and certainly at committee.

The first amendment, which is the president appointed by the board, is not a new amendment. That has been discussed ad infinitum and is the right way to perform governance in any corporation. When the CEO and president is responsible for the board of directors, it is an organization that is accountable. When the CEO is appointed by a third party then there is no accountability by the board of directors to that individual and quite frankly, the responsibility and accountability of that individual is compromised.

I am glad that I finally have an audience. It is nice to see, after a little bit of a faux pas, that the whip of the Liberal Party does have a bigger whip now than he perhaps had previously.

The second amendment is with respect to the auditor general but it is not something new. This particular amendment was put forward previously. The auditor general is the check and balance that the public have, but in this particular case it is a check and balance that the owners of the Canadian Wheat Board, who are the producers, want. We are continually told that the ownership of the Canadian Wheat Board is the producers but unfortunately the producers do not have the opportunity of actually finding out what it is they do own and how the Canadian Wheat Board is being operated.

The Senate amendment that came forward is a better change to the act than there was previously. Now at least the government has agreed that the auditor general should play a role in the Canadian Wheat Board. However, it did not go far enough. I spoke to this and the amendment does take it to another level which is a much better level.

The auditor general should have the opportunity and right to audit the Canadian Wheat Board. The Canadian public and the owners of the Canadian Wheat Board, the producers, should have a right to have access to what the auditor general says.

The auditor general goes into government departments and tells them they are doing the job wrong and tells them how they can do the job better. It is an operational audit, not just a financial balance sheet audit which producers are now receiving from the Canadian Wheat Board.

The amendment is a legitimate and solid amendment. It would make that particular organization much more accountable to the people who own the organization, the farmers.

We have discussed inclusion and exclusion ad nauseam, not just ad infinitum, that this is the most dangerous clause in this particular piece of legislation. I stand on record in this House in saying that if the government got rid of the inclusion clause, we would reluctantly accept the legislation that came forward.

With the Senate change to the inclusion clause, which is a minor change, it does have a protection and a check and balance. It always deals with plebiscite even in the original legislation. However, this now says that it is not just simply a decision of a minister, of the board of directors, the plebiscite, but the final resolution will have to come back to this House and be passed as legislation.

I can assure members that if there was a piece of legislation that hit the floor of this House that was going to include another commodity in the Canadian Wheat Board, there would be riots in the streets in western Canada. The producers would not allow themselves to be put in a position where they were forced to sell other commodities on a non-voluntary basis through the Canadian Wheat Board.

This is a good amendment and I congratulate the member from Peace River. It is a good amendment where it states that no inclusion clause should take place until producer participation in the Canadian Wheat Board is voluntary. It makes sense. We should not add any more commodities until it is a voluntary organization. However, add the commodities when it does become voluntary so that the organization can compete on a fair market basis with other competitors that are in the marketplace right now. It makes sense.

● (2120)

I hate to say it, it is the first time that the hon. member has really made sense with the four very good amendments. However, we will support the amendments as put forward. Unfortunately I believe, and I am sure the hon. member from Peace River also agrees, that these amendments, although very logical and will make a better piece of legislation, will not be approved. It is very difficult to stand and say that because they would make it better they are still not going to be approved by this government.

For the life of me, I do not know why the government will not approve these amendments. It will not. A couple of members over there are going to speak to it. They will tell us exactly why it is such terrible thing to give people a choice; it is a terrible thing to make an organization accountable; it is a terrible thing that the

chief executive officer should be responsible to the board of directors. They are going to tell us why it is so awful to do that.

I am sorry that these amendments will not go any further than the vote tomorrow. These amendments, which have been tabled by almost every member of the opposition with the exception of the NDP, will come back to this House. We may not be here to deal with them, but they will come back because this legislation is flawed. It is not going to solve the problems that are out there in the marketplace. It is going to exacerbate the problem. The day after this legislation is proclaimed we are still going to have the problems that exist today.

In saying that, I will also say that with the Senate amendments and the legislation that will come forward, reluctantly we will support Bill C-4. I would much prefer to have it supported as amended but unfortunately, I do not think that is not going to happen.

This has been a very useful exercise. I know the hon. member from Peace River has given us the process, as have a number of other speakers, as to how this legislation got to the floor of this House. Even in that, I am a little disappointed that the government did not listen more to the producers that this affects.

Mr. Wayne Easter (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the issue of the Canadian Wheat Board and the amendments proposed is a very serious one.

The memory of the member for Prince George—Peace River seems to be short in terms of what happened and how we got from where we were in the hearings to these amendments today.

There were very extensive hearings in western Canada by the previous Standing Committee on Agriculture and Agri-Food. Members of this House, myself included, attended hearings where extensive information was put forward by farmers. It is too bad the member was not there. He was in his own area. The standing committee put forward quite a number of amendments to the bill in terms of adopting what the producers wanted. They made the board more powerful from a farmer's point of view and catered to what farmers asked us to do.

I have said many times that without question the Canadian Wheat Board is an agency that is respected around the world. It is respected by Canadian farmers. It has done well for Canadian farmers since its institution in 1935. During difficult years in the grain industry it has been able to maximize returns back to producers.

● (2125)

When we compare our returns in net to those of the United States producers, we have usually and nearly always done better in maximizing net returns back to primary producers. It is not just taking a spot market here or a spot market there, but what is actually put back into the pocketbooks of farmers. The Canadian Wheat Board has been able to do well for farmers over the years.

I want to talk for a moment about some tactics by the opposition party and what it is really doing. The opposition members, especially those from the Reform Party, are playing into the hands of the major grain companies. In essence with the amendments they put forward today that is what they are doing. They would have the impact of weakening the marketing tools that western grain producers have available to them in terms of maximizing returns to themselves. They are really playing into the hands of the likes of Cargill grain and others.

I have had the opportunity to travel to the United States extensively in my experience over the years. It is interesting to talk to American farmers. Many of them wish they had an agency like the Canadian Wheat Board to give them the power that the Canadian Wheat Board has given to Canadian producers.

I want to quote what Robert Carlson of the United States national farmers union had to say before the House of Representatives agriculture committee: ''From a competing farmers' perspective, we in the United States do not have a vehicle like the Canadian Wheat Board to create producer marketing power in the international grain trade. We basically sell for the best price among our local elevator companies and lose our interest in our grain after that point. Our export trade is dominated by a few—''

An hon. member: They get higher prices.

Mr. Wayne Easter: If the member would listen, he would realize from a competing farmer's point of view what the mistakes of the amendments the Reform Party is proposing would do to Canadian farmers.

As I was saying ''Our export trade is dominated by a few large corporations who were interested in buying low and selling high''.

Maybe the members in the Reform Party just do not understand that it is the lowest price that sets the price. It is the lowest seller who sets the price in the international market. If there is one primary producer from Canada wanting to sell low, it brings down the price structure for the country as a whole. What the Canadian Wheat Board does by selling through a single desk is it tries to hold that price up and see that there is not negative competition undermining the Canadian price structure.

Mr. Carlson goes on to say ''Our export trade is dominated by a few large corporations who are interested in buying low and selling high to enhance the earnings of their owners who are not generally the same people who produce the grain traded. The stated goal of free trade proponents in agriculture is to have a grain trade without national borders, without internal subsidies, without quota or tariffs and without pooling or price enhancing mechanisms like STEs.

This would be a great world for grain buyers but a grim world for producers who would be fully at risk economically''.

He concludes by saying ''If we destroy''—and this is what the Reform Party is trying to do through its amendments—''the various institutions that farmers in many countries have built to help themselves survive economically, we will have nothing left but producers standing bare among the ruins of structures that once empowered and protected them in a marketplace dominated by giants''.

That is where it is at. The Canadian Wheat Board does give us considerable power.

Let me come to the audit for a moment. Those members talk about wanting the auditor general to audit the books. The fact of the matter is that the Canadian Wheat Board's duly appointed external auditor chosen from the private sector is the well-respected accounting firm of Deloitte & Touche. Fully audited financial statements appear in every Canadian Wheat Board annual report.

Under Bill C-4 the producer controlled board of directors would have the power to create their own internal audit committee just like any other private company.

● (2130)

The Senate approved an amendment to Bill C-4 which would authorize the auditor general to conduct a one-time audit of the accounts and financial transactions of the corporation and to report back to the board of directors, which has a two-thirds majority of farmers, and the minister. That should be all that is required.

The fact of the matter is, this is the annual report, audited, as I said, by a respected auditing firm. It is 84 pages of financial transactions and information on the Canadian Wheat Board. Do we have that information on Cargill Grain? Certainly not. Do we have that transparency with some of the major grain companies? Certainly not.

It is reported in the introduction to the 1995-96 annual report of the Canadian Wheat Board that there was a performance evaluation done on the Canadian Wheat Board. The performance evaluation conducted during the 1995-96 crop year showed that Canada ranks highly with its customers in such areas as quality of product, customer service, technical support and dependability of supply.

Another study conducted by three economists showed that the Canadian Wheat Board's single desk generates an additional $265 million per year in wheat revenue for farmers, thereby enhancing Canada's competitiveness and, in fact, putting more money in producers' pockets.

Mr. Leon E. Benoit: You have made that point before.

Mr. Wayne Easter: The member said that I had made that point before. Yes, certainly I have. The value of the Canadian Wheat Board does not seem to have sunk in with the member for Lakeland because he continues to attack it. He continues to talk about dual marketing, and there is no such thing. We cannot have single desk selling and an open market working at the same time. They are a contradiction in terms.

If we have a dual market we have an open market system and the open market system will undermine the very essence of what the single desk selling system is trying to do, which is to maximize returns to producers by preventing the negative competition that obviously the member for Prince George—Peace River supports. He obviously must support lower prices for grain producers because that is what his amendment would mean.

The Canadian Wheat Board has worked on three pillars of strength: single desk selling, price pooling and a partnership with the federal government which guarantees borrowings and initial prices.

The member for Prince George—Peace River was putting forward an amendment, I believe, to go to a full board.

I guess the key question is, would the board of directors under this new board have real power? I personally support an elected commission. They have done well over the years. We have appointed commissioners for their expertise in marketing. They have done a great sales job in China and in other countries. As I said earlier, the figures they have returned to producers are some $265 million per year over and above what they would have got if they did not have that board. I supported that system.

However, I clearly heard producers saying they wanted more control on the board. Now they are going to have that control with 10 or 15 directors. Will they have any real power? The answer is clearly yes. Contrary to what members opposite are saying, they will have real power. As in any modern day corporation, all of the powers of the Canadian Wheat Board will be placed in the hands of the directors.

● (2135)

The legislation clearly states that directors ''shall direct and manage the business and affairs of the corporation and are vested with all the powers of the corporation''. That is what the legislation says. They are vested with the powers of the corporation.

They would certainly carry a heavy load of responsibility being in charge of a $6 billion enterprise.

The member opposite asks ''What about the CEO?'' The fact of the matter is, the directors will select one of their own to be

chairperson. The Reform Party claims that the board should select the chief executive officer.

There is tremendous financial support from the taxpayers of Canada, from the Government of Canada, to western Canadian grain farmers through the Canadian Wheat Board, so certainly we have to have some say in terms of the appointment of the CEO.

It was backstopped last year to the tune of about $60 million, in terms of guarantees on borrowings and initial prices. That is a heavy financial commitment for Canadian taxpayers and we want to ensure that we have some say in terms of who is appointed CEO. But we also ensure in the legislation that the board will have a lot to say and will be consulted in terms of the CEO.

As I said, the directors will select one of their own to be chairperson. They will be consulted on the appointment of the president and will determine the remuneration of the president, the chair and the directors. If they do not like the CEO, they just lessen the remuneration. It is that simple.

They will oversee the Canadian Wheat Board's management and control and strategic direction.

If the directors were not satisfied with any aspect of the Canadian Wheat Board operations, they would be able to make the necessary changes. They would also be responsible for the introduction of new marketing tools such as cash trading, expedited adjustment payments and early pool cash outs.

The amendments put forward by the member for Prince George—Peace River would undermine this powerful marketing tool for western Canadian grain farmers. On this side of the House we want to stand by western Canadian grain producers. We want to ensure their prosperity in the future and one of the tools that they will have at their disposal is the new arrangements, the new powers, the new procedures granted to them by Bill C-4 which we are putting forward with the confidence that it will do the job we expect.

The Acting Speaker (Mr. McClelland): On questions and comments, the hon. member for Prince George—Peace River. I would ask him to keep his intervention short.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I do not know how anybody could keep their comments short after listening to that socialist rant from the hon. member.

For any of the farmers who happen to be watching the debate tonight, and I am sure there are some, that type of nonsense is the very thing that people have struggled with and fought against to ensure their freedoms throughout history. Throughout history people have had to struggle and fight to get freedoms because of that type of attitude. That is the simple fact of the matter.

Because my time is short I will just address one issue, the issue of dual marketing, the issue of freedom of choice, the issue of a voluntary wheat board.

Why is it that Ontario farmers have a fully elected board of farmers to run the Ontario Wheat Marketing Board? They have a fully elected board, not two-thirds. They are going to be able to market their grain directly out of the country themselves. They will not have to go through the Canadian Wheat Board.

Why is it that what is fair and right and works in Ontario for some reason cannot work in western Canada?

Mr. Wayne Easter: Mr. Speaker, I am not at all stung by being called a socialist.

Mr. Jay Hill: That is because you are one.

Mr. Wayne Easter: I do not know about my colleagues, but I am not stung by that comment. To me that means I stand with the people and I will admit that I always have.

● (2140)

I remember when the member opposite was a farm leader in Peace River country, as I was a national farm leader across Canada stationed in Saskatoon, Saskatchewan. There is one thing about the organization I stood for and still stand for today as I continue to stand up for farmers in this country and the prairie producers in the west.

I cannot understand why the member opposite wants to undermine the ability of those farmers to be able to maximize their returns on the international marketplace. I just cannot understand that from the member opposite.

In terms of the Ontario Wheat Marketing Board versus the Canadian Wheat Board, the Canadian Wheat Board is given extensive backup by the Government of Canada in terms of its designated marketing area.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I have three short questions. I would like the hon. member to know that I have been on the phone with a number of farmers in my riding who are watching CPAC tonight and they have asked me to ask these three questions and they want to hear the member's answer tonight.

Question No. 1: There is an 82 year old grain farmer in my riding who says ''I fought for freedom. Why have I lost it?''

Question No. 2: One farmer says ''Occasionally over the years Revenue Canada has sent in auditors to audit my books that were done by a private company. Why can't we send in the auditor general occasionally to confirm this private company?''

Question No. 3: The last question is from a young farmer who would like to know ''Why aren't the Ontario and Quebec farmers rushing to get on board this wonderful Canadian Wheat Board? Why aren't they rushing to sign up if it is such a good deal?''

Mr. Wayne Easter: Mr. Speaker, in response to the question the member for Wild Rose had with regard to the 82 year old farmer

who claims he fought for freedom, that is true and that is, in fact, why we are having this debate today.

There is freedom under the Canadian Wheat Board. There is freedom in this country. We had the Canadian Wheat Board advisory committee which was elected to advise the Canadian Wheat Board. In all the recent elections to that board the pro-Canadian Wheat Board candidates won. That is clearly showing that support is there from the farm community in the west in terms of electing pro-wheat board producers.

The member asked a question about Revenue Canada. In fact the Senate amendment deals with that. I personally do not see it as being necessary. As I said, the Canadian Wheat Board puts out an annual report with audited financial statements. It is very transparent, not like the Cargill grain company and other companies. All the facts are very visible.

I will quote a portion of what farmers are saying in the west. The president of the National Farmer's Union is Nettie Wiebe. I believe some members know her. She had this to say: ''The vast majority of farmers want to see the Canadian Wheat Board strengthened and expanded. They want to see it safeguarded in the upcoming 1999 round of World Trade Organization talks''.

• (2145)

Farmers value the savings and security provided by the government guarantee on all prices. They value the government guarantee on borrowings and operations and they want to see those guarantees strengthened. That is what farmers said.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, I will cover later some of the comments the member made. My question to the member for Malpeque is quite simple and straightforward. How is it that he, a dairy farmer from Prince Edward Island, thinks he knows better than farmers of Ontario who have opted clearly for a voluntary and accountable wheat board?

Mr. Wayne Easter: Mr. Speaker, at least the member for Lakeland is getting a little closer. The last time I stood in this House he called me a potato producer and now he is getting a little closer to the industry. I know what is going on in western Canada. I spent 17 years organizing in western Canada.

I have been in more farm kitchens and town halls across western Canada than he ever has. I stood in the streets demonstrating to strengthen the Canadian Wheat Board powers over the years when some governments tried to undermine it.

When a former minister of the Canadian Wheat Board, Charlie Mayer, tried to undermine the authority of the Canadian Wheat Board by taking barley out from under it illegally, I stood in the streets and fought for it. Where the heck was he when we needed to do that? I have every right as a Canadian and former farm leader to stand in this House and express my opinions and the opinions I know very well of western Canadian farmers in their support for the Canadian Wheat Board.

Nettie Wiebe, president of the farmers union said: ''The vast majority of farmers want to see the Canadian Wheat Board strengthened and expanded in this country''. The amendments put forward by the member for Prince George—Peace River would undermine the very authority that farmers want strengthened and expanded.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, the member for Lakeland said a few minutes ago that it is an old speech he had from the member for Malpeque. If new content were required for all these speeches we would have been mute on this point about October 15 because there has been nothing new on this debate since about the first week of the debate. It has been downhill every since.

We are here tonight again in part because of the amendments that have been brought forward by the member for Prince George—Peace River. The Senate has pronounced on Bill C-4. Following hearings in western Canada earlier this spring senators have proposed three amendments and made two recommendations.

The process as amended by the Senate has now returned to the House. That the government is introducing it into the House means it approves the bill as amended or that it at least accepts its provisions otherwise it would have chosen not to reintroduce it.

• (2150)

The bill as amended will be debated in a package, one debate, no splitting off to discuss and vote on each amendment separately. There will be one vote only.

If the vote passes, and the government will ensure it does, the bill will then be ready for royal assent. It will not return to the other place for a further vote.

The Senate amendments include the deletion of the existing inclusion and exclusion clause. There remains a mechanism for having the inclusion or exclusion of a grain but the reality is that it leaves the initial decision in the hands of the minister. In the bill's earlier stage the decision to include to exclude would have been triggered by a farm group or groups.

It is one more indication for us that the bill does not do what the minister has been saying constantly that it was going to do which was to put grain farmers in the driver's seat. Every time they get into a narrow corner they say they have to give the control back to the government or in this case the minister. Instead of putting them in the driver's seat, as the minister responsible for the wheat board has been saying, it really puts grain farmers further into the back seat.

The minister has to consult with the board of directors and hold a producer vote on inclusion-exclusion. In addition, parliament will now have to pass specific legislation to include or exclude a grain. We believe that essentially this is a capitulation of the business and the right wing farm lobby which wanted both clauses to be deleted from the bill. It did not really want the exclusion clause deleted, but we are prepared to take that in order to get rid of the inclusion clause.

From our point of view the inclusion clause was one of the only redeeming features of the bill from the point of some wheat board supporters, including the NFU as has been noted by the previous speaker and the wheat board advisory committee.

With regard to point two of the Senate recommendations, the Senate amendments stipulate that the minister consult with the board before appointing a president. The minister did not have to do this under Bill C-4 but said he would have anyway so in reality it is not a big win.

On the auditor general and access to information point, the amendment from the Senate says that within two years of the bill coming into force the auditor general should commence an audit of the corporation. The question of the wheat board's transparency was a big issue for the Reform Party and wheat board opponents. The minister responsible for the board was reluctant to allow the auditor general in but has now obviously agreed.

The senators do not suggest that the board be open to access to information laws. They say the new members of the board will have access to all relevant information and they should decide what is and what is not made public.

In addition to those three Senate amendments there are two recommendations. Of the ten elected members of the board of directors, Saskatchewan would have five, Alberta three and Manitoba two.

Second, the regulations stipulate the contingency fund will be no larger than $30 million. This is a small step in the right direction but the CEO of the wheat board thought that the contingency fund could be as high as $575 million.

Third is that the contingency fund be separated into three accounts defined by their uses, guaranteeing initial payments, providing for losses from pool accounts, and providing for potential losses from cash trading.

The Senate also observed that farmers should vote for directors on a one farmer, one vote basis rather than on the basis of volume of grain delivered, which was a suggestion from the Reform Party last fall. There should be spending limits in elections but the senators came up with no suggestion as to what that should be.

The senators noted the intense and bitter debate around dual marketing. They took no position but said that the new board of directors could make decisions on this in future.

For our part, the federal NDP caucus opposed the bill even with the inclusion clause. We will oppose the bill with these amendments which essentially removes this clause. We would oppose the further recommendations we have heard tonight made by the member for Prince George—Peace River.

Our caucus opposes Bill C-4 because it does undermine the integrity of the wheat board and will continue to undermine farmer confidence in it. We believe farmers cannot afford the contingency fund is in the bill and they do not want it. The senators have accepted the contingency fund although they recommend it be limited to $30 million.

• (2155)

One of the few positive clauses from our point of view was the possibility for the board to either add or delete grains from its mandate. The decision to include or exclude a grain would have been triggered by requests from farm groups but would have required a vote by all the farmers affected.

A coalition that included the Winnipeg Commodities Exchange and other corporate groups lobbied hard against the inclusion clause. To achieve their end they said both inclusion and exclusion should be dropped and the senators have capitulated to this aggressive lobby. In place of a democratic process to include or exclude the senators offer an alternative that would make it almost impossible to ever add a grain or delete one.

The inclusion clause was one of the few redeeming features of Bill C-4 and it has now been gutted. We in this caucus have always been strong supporters of the wheat board because it works in the best interests of farmers. We must work together to make sure that the wheat board has a healthy future.

On this whole business of secrecy about the wheat board I agree very much with the comments made by the member for Malpeque. We are talking about a $6 billion a year operation. I has been accountable to parliament. Parliament has required that an external independent auditor scrutinize the wheat board's books. The auditor is Deloitte & Touche and each year the report is filed with parliament. The last audit I saw was the 1996 audit. That well recognized, well respected accounting company found the wheat board's books to be in fine shape.

It is true that the wheat board is exempt from provisions of the Access to Information Act and we feel that the overriding reason for that is customer confidentiality and the conduct of the wheat board's commercial activities. If customers big and small cannot be

assured that their business dealings with the board are held in confidence they will go elsewhere with their business.

It is interesting that the same groups that frequently claim that the wheat board does not get a good enough price for grain would now like to undercut the board's ability to do just that.

The Canadian Wheat Board is probably the best grain marketing organization in the world and it has served western farmers well for more than 60 years. It is a great Canadian success story and it is accountable to the people of Canada through parliament and through an external audit.

We in this caucus have always supported the wheat board because we believe, as I have said, that it works in the best interests of farmers. We oppose Bill C-4 because it is flawed legislation and will only serve to undermine the board.

Reform opposes Bill C-4 because Reformers do not think it goes far enough, quickly enough to destroy the board faster. We are not in support of Bill C-4 and we are certainly not in support of the amendments presented tonight.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, what I will comment on in my presentation are the amendment presented by the Reform agriculture critic under three headings, the ending of the wheat board monopoly, more transparency within the board, and the accountability to farmers.

I have to comment on some of the things that have been said by members from other political parties. I will start with the member from the Conservative Party who spoke earlier. He said he would reluctantly support these amendments even though he agreed with them wholeheartedly. I wonder why that would be.

I believe the reason is that member has Conservative comrades in the Senate and those Conservative senators may be pulling his string a bit. They are kind of saying support what they said. I give the member some credit that he is not just going to have his strings jerked completely by the Senate. I thought I would make that comment.

I have to make some comments about what the member for Malpeque said, and he is a dairy farmer, not a grain farmer. We have in the Reform Party over 20 farmers.

• (2200)

Mr. Wayne Easter: Mr. Speaker, I rise on a point of order. I have been accused of not being a grain producer. Besides being a dairy producer and a beef producer I also grow grain. I have also grown barley, wheat and oats. How I wish we had a Canadian Wheat Board in P.E.I.—

The Acting Speaker (Mr. McClelland): As you know, mares eat oats and does eat oats and little lambs eat ivy. It is now time for the hon. member for Lakeland.

Mr. Leon E. Benoit: My apologies, Mr. Speaker. I did not realize the member had grown any grain, but I do know he does not market any of it through the wheat board. I wonder why that is. I have not heard the member lobbying for the wheat board jurisdiction to be expanded into his province. If he did he would not last long as the member for Malpeque.

The member talked about how he was a spokesperson for a farm group. He was. I remember well something he said about 17 years as a member of the National Farmers Union. I would like to ask him a question. I know he cannot reply, which is good. I know the answer anyway. How did membership of the National Farmers Union change under his presidency and beyond? The answer is that it declined steadily, to the point that it moved from a fairly substantial farm group to a very small farm group.

The member sings the praises of the Canadian Wheat Board. I want to make a message very clear once again, which I have done I do not know how many times, because it seems like the hon. member for Malpeque and some of his comrades in the Liberal Party did not get the message. The message is that the issue never has been whether or not the wheat board functions well in terms of providing a service for farmers. I do not think that has ever been the key issue.

The key issue has been that the wheat board functions as a monopoly and farmers have no choice. That is by far the most important issue that has been taking up the debate regarding the wheat board.

Again and again, in spite of my having clarified it dozens of times in the House even while the member for Malpeque was here, he still tries to say that the debate is about getting rid of the wheat board. It is not about getting rid of the wheat board. It is about giving farmers the choice either to market through the board or somewhere other than through the board. That is the issue. I wish he would not try to distort it. The issue is choice, that it be a voluntary board.

He is someone who claims that he supports the wheat board. How on earth can he go against the original principle of the wheat board which was to be a voluntary organization? That was only changed in 1942-43 under the War Measures Act when the monopoly was put in place. It is interesting how the member conveniently forgets that fact.

I will now talk about the three issues I mentioned before. The first is the key issue, the issue of putting an end to the wheat board monopoly. That is what the debate has been about for some time in western Canada and in Ontario. It was fortunate enough to have a vote on it and choose to sweep the monopoly aside and give farmers a choice. That is what there will be in Ontario as a result of the changes made. Why that cannot happen in western Canada, why that vote will never be allowed, as is apparent under the government, I cannot answer.

We need to end the monopoly to give farmers the freedom to choose, to put in place a dual market or an opt out clause or some mechanism to give them a choice. That is what the Reform agriculture critic, the member for Prince George—Peace River, stated in his amendment. It is crucial and it is in the amendment. For that reason alone the amendment should be supported.

As to whether that is what farmers want is not an issue of debate any more. We have had the polls and we have indication after indication in every province in western Canada and in my constituency that says farmers want a choice. It is not an issue any more. I do not know why the member for Malpeque keeps saying that is somehow the issue.

• (2205)

The second issue is more transparency within the board. I say within the board because I believe probably a majority of western Canadian farmers want the wheat board to continue to exist. That is not the issue. Most farmers would say they want the wheat board. They think it is a useful body. They think they would use it sometimes but would like the option not to use it if they so choose. We need change within the board that will make it more transparent and more accountable. I wish members would listen to that.

The member for Prince George—Peace River, the Reform agriculture critic, dealt with the issue of transparency and accountability in his amendment, two more good reasons to support the amendment. The Conservative Party which has not exactly been supportive of Reform is to support these amendments. The member who spoke knows that western farmers want these changes. He has no doubt about it, just as I do not and just as the other 20 plus Reformers who are and have been farmers know these changes are wanted.

The Senate proposed to have the auditor general look at the books. There are a few things wrong with that. First, we do not know that the auditor general would have access to everything he wanted access to. Second, would he report to parliament? No. He would report to the minister or to the board of directors which is partly appointed.

We are waiting for a ruling on what the auditor general said, that it may not be legal. This amendment the Senate has proposed and we support may not be legal. It may be outside what the auditor general is legally mandated to do. That is another concern. Parliament gets a limited report from the auditor general which is not made public, and what have we gained? I suggest probably not very much.

Another issue of accountability to farmers is to have a completely farmer elected board of directors with real control. If that is combined with a voluntary board as it originally operated in western Canada and transparency so we know what is going on inside the board, we will have a wheat board that will be supported by western farmers. A vast majority of western farmers would support and use the wheat board under the conditions that it is voluntary, transparent and more accountable.

Those are the comments. We are going through this debate again. I do not think there is any need for me to comment further. I look forward to questions from members of the other parties.

Mr. Myron Thompson (Wild Rose, Ref.): It is a pleasure to speak probably for the last time to this issue. I will speak directly to you, Mr. Speaker. Being from the great province of Alberta you will realize that what I am saying is absolutely correct in the eyes and in the minds of the farmers, particularly those from Wild Rose with whom I have become the most familiar.

I will make one comment in regard to the speech given by the Conservative Party member. It was sort of a half-baked speech in which the member overwhelmingly supported this or that but will reluctantly vote. I am not sure what he meant.

I would like the member to know that I am quite proud of two colleagues in my caucus, one from Prince George—Peace River and the other from Portage—Lisgar. They were debating this issue a long time before this member ever reached the House. In fact there were only two members in the Conservative Party at that time. I guarantee the fellow from Sherwood did not know the first thing about a wheat board like most members on that side.

• (2210)

I am as concerned as many farmers in Wild Rose with whom I have been speaking on the phone for the last two or three hours. They would like to know if the Minister of Fisheries and Oceans campaigned on supporting the wheat board in his riding. I am sure the Minister of Citizenship and Immigration campaigned hard on the wheat board issue in her riding. I am sure that all the Ontario MPs campaigned very hard in their ridings.

They support the bill but it does not reflect on their constituents one iota. It reflects on western farmers and they do not care about western farmers. If they did care they would have recognized, as I recognize, that not too long ago in a very legal referendum in the province of Alberta 66% of barley producers voted in favour of a dual marketing system.

The other two Liberal members from Edmonton remember it. They sure have a funny way of showing it when it comes to voting in the House of Commons. They do not care about what the western farmer is going through. They only care about what their almighty front row bench tells them to do. The whip cracks and they will do it.

Through you, Mr. Speaker, I will speak to the fellows who I know are watching on TV tonight.

Some hon. members: Oh, oh.

Mr. Myron Thompson: I apologize to them for the noises across the way. They do not know any better. I hope my fellow farmers will forgive them. They cannot help what they do. It is getting awfully close to summer and it is nice to direct my comments to someone I know is alive, sober and doing well. I will not pay any attention to what is going on across the way. I want the farmers in western Canada to remember that it was the voters in this Liberal group who have forced this issue upon them. None of their constituents are affected by what happens with the wheat board bill.

I talked on the phone tonight to a farmer from Cremona whose name is Gordon Reid. I know Liberals are not interested in hearing what he said but I want to quote him. He would welcome a phone call from any of the experts opposite. With unity being a major issue in the country, he asked why we are treated like second class citizens. His number is 403-637-2193. They should write it down. He would welcome a call from them any time. He has a few things to say to them on behalf of a lot of farmers. I hope they call him up right this minute to say hello.

Also they would like to know what it takes to get an effective Senate. The Senate went into the western part of the country and talked to the farmers. I heard what farmers had to say. I took in some of the sessions. All my staff took in the sessions, recorded them, took all the information. Only a bit of what we heard from farmers in western Canada is shown in the amendments from the Senate. They are concerned about the Senate.

● (2215)

If the member is a brave fellow like he thinks he is, I will take him out back here and we will call him together. I would not want him to lose the number.

The Acting Speaker (Mr. McClelland): We are not going to have another word about heart attacks from this side. We are not going to have another word about going out back. Stay on the topic.

Mr. Myron Thompson: Mr. Speaker, I was just going to where the phones are. We do not have phones in here.

I don't think they understand much. Maybe if a guy went over and gave them a shot in the head they would understand something.

The Senate has been in the views of these farmers a failure to them. They feel that the Senate is supposed to represent the regions of the land and that they should not be exploited by the bigger regions. They feel that is what has happened in this case, and they are extremely disappointed with this government for allowing it to happen. They feel they have been exploited by the larger populations.

If the new member from British Columbia would finish yawning and listen to what goes on out west, he would know what I say is true. I would advise him to pay close attention.

Mr. Speaker, I wish you a good summer.

Mr. Mac Harb: Mr. Speaker, I rise on a point of order. Obviously the member for Wild Rose has had a few minutes of wild times. Last night in our debate the member for Wild Rose at 9.45 stood up in the House of Commons and not only on the record but off the record called us liars. A number of my colleagues, including the member for Wentworth—Burlington, heard him.

The Acting Speaker (Mr. McClelland): The hon. member for Ottawa Centre approached the Chair a little earlier on this. It had been brought up earlier. This is the first opportunity that he has had when the member for Wild Rose was in the Chamber.

Knowing the member for Wild Rose, as we all do, and knowing what happens sometimes in the heat of debate, the member for Ottawa Centre has indicated that if the member for Wild Rose would have the courtesy to remove any suggestion of calling that member a liar, it would be appreciated.

Mr. Myron Thompson: First of all, I called no individual a liar. That is false. I said it is too bad that people have to lie to try to make a point. I never talked about any individual.

When an individual says that I take children and hold them by the heels and whip them, I have to say something about that. Any member who would make a comment like that should apologize to me. I will not take back anything I said.

The Acting Speaker (Mr. McClelland): The word ''lie'' is recorded in *Hansard*. It is not a word that is used in this Chamber. The hon. member for Wild Rose has had his say. As far as I am concerned, the matter is over now. Questions and comments.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I listened intently to the member for Wild Rose, and I want to correct something that I am sure he did not intend to say but said it nevertheless. He talked about the fact that 66% of Alberta farmers voted against the barley vote in 1997, which is correct. But without a blush he segued that 66% of Alberta vote into a vote by western farmers against the barley vote when we all know that the overall vote in western Canada was 62% in favour of retaining barley under the jurisdiction of the Canadian Wheat Board.

● (2220)

I wonder if the member for Wild Rose would acknowledge those are the facts.

Mr. Myron Thompson: Mr. Speaker, the member is correct because the vote he is referring to was an all or nothing vote. That is not what the Alberta farmers voted on initially. The Alberta

farmers want dual marketing. Members should get that through their heads. They want dual marketing, end of comment.

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I have never seen anybody who stretches the imagination as much as the member for Wild Rose. We have somebody here from the New Democratic Party who has shown once again how the member for Wild Rose has stretched the truth to the limit.

The member refused to stand up tonight in order to apologize to the House. He has disgraced the House one more time. If he has the audacity and the true honour of a member of the House he would apologize not to me but to the House of Commons and to the taxpayers of this city and this country.

The Acting Speaker (Mr. McClelland): The member cannot answer since he is not in his seat.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, a couple of evenings ago there was a dearth of Liberals in the House, in fact an embarrassing dearth, and we all know the consequences of that. I think that may be preferred over the drunken brawling group we have over there this evening.

The Acting Speaker (Mr. McClelland): I would ask the hon. member for Elk Island to withdraw that last remark.

Mr. Ken Epp: Mr. Speaker, out of sheer respect for the Chair I withdraw that remark unequivocally.

There is all this shouting, this disrespect for an issue that is very important to western Canadians, to Canadian farmers in the prairies and in British Columbia. It is absolutely incredible to me that there is in the House a group of parliamentarians who think that it is within their purview to impose on western Canadians a system of marketing their grain which they themselves do not subscribe to and which the farmers in the west do not want.

I know that they can come up with this plebiscite that was held. But as my colleague just said a few minutes ago, that plebiscite was do you want the whole wheat board basically the way it is or do you want it scrapped. Obviously I would vote in favour of keeping the wheat board because there are a lot of small farmers who do not have the ability or the capacity to get into marketing their own grain and finding the best market.

On the other hand, there are now literally hundreds of farmers who are very well able and who meet many opportunities. I appeal to these members who have a power here which they are abusing.

● (2225)

By a democratic system there are more Liberals in the House than other members. That is true. I acknowledge that. The fact is they got 38% of the vote across the country and they got around 20% of the votes in my province. They do not represent the wishes of those people out there. It is that simple.

I say this as carefully as I can. I do not even like using this term but there is a degree of arrogance. From 3,000 miles away or whatever it is, it is a very great error to say that we here know better than those out there what is best for them.

Let us reverse it. I am going to deal with the dairy business right now. There are marketing boards. There are quota systems and all that in the dairy. Let us just for a moment say the system was reversed.

Let us say that parliament was in Alberta. Let us say that all the wheat farmers in Alberta decided that the dairy farmers only in Ontario and Quebec and in the Atlantic provinces could no longer get their best prices for their dairy products. Most of them sell the raw milk. They could no longer sell to that buyer who gave them the best price. In all instances they had to sell to someone else who gave them between 20% and 25% less.

I hope the members can now see what would happen to them. They would say that is not right, that is not fair for those western farmers out there to impose on us at a financial loss something that we do not want to do.

That is what is happening here and that is why this is such a serious issue. It is a very serious issue. We ask the farmers in a fair question would they like to keep the wheat board the way it is, would they like the wheat board reformed, would they like the democratic right if an opportunity came to sell some of the grain they raised at their expense on their own land. If an opportunity came to sell a couple of truckloads at 25% higher than what they can get through the wheat board, they would want that right. The farmers are saying that.

They are prevented from exercising that right because of a law made here in distant Ottawa. What I am doing right now is simply appealing to this government. I know the whole democratic system is skewed here. The minister for the wheat board who makes the final decision and who gives the whip the instruction on how all the other MPs are to vote on command, I do not know if that minister is now hearing my appeal. I do not know whether he is able to get to a television or whether he is going to hear this appeal. He is the one who makes the decision.

In a way I might as well be debating with empty chairs since the ones who are filling the chairs here tonight are unable to really respond to what I am saying.

They have to vote according to the party line. Here we have very fine subamendments from the member for Prince George—Peace River that would correct at least some of the errors in the present legislation and make it palatable to western farmers.

Yet what we are getting is resistance. What we are getting is a lot of laughter and disrespect. Not anymore. I want to be honest here. They are paying great attention. I appreciate that.

● (2230)

These subamendments which my colleague has brought forward accurately reflect at least some of the changes farmers in the west are pleading for. I appeal to members to talk to the minister, get together, do what is right and pass these subamendments. If this bill goes through in its present form with these subamendments, maybe in the future we can make more adjustments. I believe the prerogative of parliament is to make amendments to laws from time to time. That is what we are here for. It really should be done.

If it is not, there has been a failure of this government to respond to the basic freedoms which these western farmers deserve.

I have used the following example before, but per chance some of the members here tonight were not here when I gave it previously or perhaps have not read every page of *Hansard* since we got here. I would like to refer to this one example of a farmer I talked to who said a federal government agency, the Farm Credit Corporation, is putting pressure on him. It wants cash. It is threatening to foreclose. This was a couple of years ago.

Meanwhile he has his granaries full of grain, the finest grain in the world because this farmer is a very meticulous farmer. He farms well. He has excellent quality grain. It is the most desirable durum wheat in the country.

He wanted to sell that grain but the wheat board at that time was not issuing a quota, so the grain sat in the bins. He could have put that grain on a truck and sold it because he knew somebody who was ready to buy it, not only to buy it and give him the cash so that he could make the payment which was being demanded, but he could actually get in this instance around 25% more than he could have expected to have received from the wheat board even with the final payments. But the law prevented him from doing it.

So he had to go to the bank, get on his knees and say please wait until the wheat board gives him the freedom to market my grain. The bank said it would put more liens on his property, take all the buildings, take all the land, take all the grain in the bins, his animals in the barn, all as security while it waits for the wheat board to sell his wheat.

I am not saying by this that the wheat board does not sell wheat. It sells a lot of wheat. There are a lot of farmers who are well served by the wheat board. There are a lot of farmers who do not get into these crunches. But when a farmer does hit the wall like this and that farmer is able to find a solution to the problem and is prevented by law from actually implementing a totally obvious solution, taking the grain which he owns and selling it to a person who is willing to buy it for a reasonable price, surely that should not be against the law in this country. It is a drastic limitation of one's personal freedom.

I appeal to members sincerely on behalf of western farmers to do what is right for a change. I will not even say for a change. I do not want to insult them. Do what is right in this case. Make the decision to accept these subamendments. Make the corrections. Let us look to the future. Our western farmers are the backbone of agriculture production in the country, the wheat basket of the world. We need to respond. We need to do what is right.

The Canadian government should not be standing in the way of keeping farmers in business successfully. It should not be the case. So I appeal for more freedom. Let us work toward it, accept the amendments now, and then we will change more later on.

● (2235)

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I would like to clear up a couple of misperceptions communicated by the member for Malpeque earlier in the debate.

The first deals with the subamendment I put forward that would grant the auditor general greater flexibility in how he would conduct the audit of the Canadian Wheat Board. The hon. member for Malpeque has suggested that this Senate amendment which calls for this one time audit by the auditor general would satisfy those farmers who are seeking greater transparency and accountability on the part of the Canadian Wheat Board.

He referred to the fact that the very reputable auditing firm Deloitte & Touche currently does the auditing for the Canadian Wheat Board and I recognize that fact. The simple fact that the member does not recognize and never has recognized in all the debates that we have had on this subject is that the auditor general goes far beyond a financial audit. He goes far beyond just counting the beans, as it were, which another auditing firm does, which accountants do.

The hon. member knows that. For him to suggest anything different is ridiculous. One amendment I put forward, the subamendment to the Senate amendments, deals with giving the auditor general far greater flexibility in how he would conduct his audit so that he would look at the actual efficiency of how the Canadian Wheat Board markets wheat and barley in western Canada and also ensure that he reports back to parliament, not simply to the minister and to the board of the directors of the corporation.

I wanted to clear that up and ask for some comments from the hon. member for Elk Island.

As well, the hon. member for Malpeque suggested that this new board of directors that will be comprised of 10 producer representatives of the 15 will have lots of power to control the operation of the Canadian Wheat Board. That is built into the bill, he suggested. He went so far as to reiterate and echo the remarks made by the hon. minister for the Canadian Wheat Board which that minister has often made that the board could always reduce the remuneration of the CEO and thereby have control of the CEO.

I do not know whether the member for Malpeque has ever heard of wrongful dismissal, but if the board of directors were to do that I would suggest that the board of directors would be taken to court by that CEO very quickly because it would be a breach of contract. I am sure that would happen.

I would like the hon. member for Elk Island to comment on that as well.

Mr. Ken Epp: Mr. Speaker, my colleague raises these very important issues and accountability is certainly one of them. As we all know, the auditor general does more than just balance the books. He also looks at whether the Canadian taxpayer is getting value for his dollar, is the organization strong and properly run.

The auditor general has a wider scope in doing the audits and I agree 100% with what my hon. colleague said.

Then we have this smoke and mirrors thing with the board. There are some elected members and some appointed members. It is wonderful for the farmers to be able to elect some of their members but it should be, as has been mentioned by my colleague and also is contained in one of the subamendments, the prerogative of an elected board to choose its CEO. It should not be a political thing again from distant Ottawa.

I believe very strongly that western farmers are well able to run their own organization. They are well able to hold it accountable. There is no reason in the world why that board cannot have the primary say, the initiation of the choice of the CEO.

● (2240)

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, I have a question for the hon. member for Elk Island but first I would like to clear up an inaccuracy that has been perpetrated by the New Democratic Party and the governing party.

They said that the member for Wild Rose in answer to a question gave some incorrect facts. They are wrong. The numbers given by the hon. member for Wild Rose are accurate. When the member said that 66% of farmers from Alberta supported giving freedom of choice in barley, he was correct. When he said a majority in western Canada support freedom of choice, he was correct. There was a poll done by the Saskatchewan government, which supports the wheat board monopoly wholeheartedly, which showed that more than 50% of Saskatchewan farmers support freedom of choice. That is clearly supportive.

It is interesting to me that through this whole debate the minister responsible for the wheat board has not been in this House for one minute. He has not listened to a thing that was going on.

Mr. Ken Epp: Mr. Speaker, I concur with the statement on the statistics. But I see the minister is here now and we can no longer say the minister has not been here for one second. He has been here now for six. It is great to see him.

I think it is very important when we have a debate such as this that we hear each other. It is not sufficient to simply schedule time until 4 o'clock in the morning to make speeches. We must also have people here hearing the arguments and who are open to change because of those arguments.

Mr. Leon E. Benoit: Mr. Speaker, I rise on a point of order. I made a statement earlier that the minister responsible for the wheat board was not in the House. In fact, he is not again. But he was for about 30 seconds—

The Acting Speaker (Mr. McClelland): All members know that we do not refer to the presence or absence of other members in the House.

Mr. Wayne Easter (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I really should have answered the questions from the member for Prince George—Peace River because his comments were not directed to the member for Elk Island, they were more directed at me.

In terms of the audit I have a question for the member for Elk Island. The member for Prince George—Peace River in his questioning the member for Elk Island talked about the audit. My points still stand regarding what I said earlier.

Perhaps the member for Elk Island could explain to us the procedure the Canadian Wheat Board goes through currently to explain what is happening at the board in terms of its financial affairs and in terms of its marketing. It puts out its annual report. It has endless district meetings where it has a question and answer period. In 11 districts across western Canada the commissioners themselves go out—

The Acting Speaker (Mr. McClelland): The hon. member for Elk Island has one minute and thirty seconds to respond.

Mr. Ken Epp: Mr. Speaker, of course the question is one of accountability. The way it looks right now, the auditor general will have a one shot opportunity and then after that we will have the commercial auditors. This is not sufficient. We are calling for the auditor general to look at this as a government crown agency.

● (2245)

Another thing that I think is so important is that farmers are actually paying the bill and have the greatest vested interest in the success of the wheat board. They should have the information available to them. It is incredible that though they pay the bill they cannot even find out how much is paid to board members or to the staff an individual basis. That is not right and not fair and should be corrected. I urge the government to correct it.

Mr. Jake E. Hoeppner (Portage—Lisgar, Ref.): Mr. Speaker, I am astounded at the amount of publicity I am getting here tonight. There is a demand for me to speak. I thought I had said everything the other day but I will oblige them and make a few remarks on the amendments.

I hope the press is incorrect on some of the rumours that I have been reading lately. I know we have no western Canadian wheat farmers on the Liberal benches but we still have the wheat board minister at least from the west. I hear rumours now that he is to be moved to a different portfolio. I surely to God hope they will not do that because we will miss him on the flight back to Ottawa. We like to meet and greet each other sometimes even when we are on conflicting sides.

I want to make clear, and I want to be corrected on it if I am wrong, the position of the Liberals on the Canadian Wheat Board. Just before the last election in Manitoba they organized a committee to save the wheat board. I attended this meeting and later a rally was held in front of the wheat board buildings. I saw at least five Liberal MPs standing on the platform and saying they were the protectors of the Canadian Wheat Board and that they would save single desk selling.

When the Liberal convention was held just prior to the election the workshops brought out different resolutions to put on the floor. One was brought forward by the former MP from Dauphin—Swan River, Marlene Cowling, a very well respected lady in the agriculture community. She proposed a resolution that they support very strongly the maintenance of single desk selling in the wheat board.

Another resolution was brought forward on behalf of agriculture that stated we should legalize the growing of hemp. There was only one resolution allowed on the floor for debate. Which one did the Liberal government supported? It was the one for legalizing the growing of hemp. Where did its commitment to the Canadian Wheat Board evaporate to? Am I wrong? Is that what happened?

An hon. member: You are wrong.

Mr. Jake E. Hoeppner: I am wrong. What was the difference? That was the way the press reported it. The motion to support the wheat board never got on the floor for debate because it would be too divisive in western Canada.

After the election we saw what happened. I was surprised this evening when the member for Malpeque started speaking. He made the comment that the government had held extensive hearings. I thought that tonight we were finally going to hear something good from the member for Malpeque. I thought we would get kernels of truth and facts, but that is where it stopped. The next thing he talked about was maximizing the profits. That kernel of truth turned into ergots. Does anyone know what this is? We call it smut in the grain industry. That is the way the speech went from top to bottom. The kernel of truth turned into smut.

I will tell the House exactly why. It was the maximization of profits. I do not have to tell the gentlemen on the other side that when we held hearings I wanted the chief commissioner of the Canadian Wheat Board to explain to us what his mandate was. I was shut down. I was told I was out of order.

An hon. member: The court case was going on at the time.

● (2250)

Mr. Jake E. Hoeppner: The court case has been settled. The appeal board had ruled that the Canadian Wheat Board had no mandate to sell grain for the best price. The only mandate it had was to orderly market my grain.

Mr. Leon E. Benoit: Whatever that means.

Mr. Jake E. Hoeppner: Whatever that means. I was prepared and I have sunk thousands of dollars into it to get the truth out of that court case. We are still battling over trying to get it before a judge so he can decide what the facts are. It is to be appealed again, and the minister knows it. That stubborn farmer from western Canada does not give up so easy. He wants the truth. Farmers want the truth.

I heard the member for Malpeque say that the farmers were playing into the hands of the major grain companies, those bad rascals, those wolves or whatever they are. I have grown special crops since 1957. I do not know for what reason but these terrible grain companies, these terrible special crops industries. have always made me more money than wheat board grains. If I had not grown the special crops I would have been bankrupt in the first 10 years. If these terrible grain companies are that miserable toward farmers, why are they getting more instead of less acres every year? Why are they selling a bigger portion of western Canadian farmers' products than they ever have before?

If we look at the price of canola today when we grew record acres last year, it is still close to $9 a bushel. What would people on the other side do if we did not have special crops? They would be sending out subsidies to no end if they wanted to keep the farmers on the land. They should realize that.

I just talked to the minister a few minutes ago to see whether he received the phone call I received yesterday. About 10 o'clock when I was waiting to debate in the House the phone rang and it was a gentleman from the States. According to the wheat board minister the call was probably from Pennsylvania.

The caller needed three truckloads of organic white, hard wheat. He said he had to have it because that wheat was not available in Montana or Washington. When it comes into production it is not the quality of wheat that we grow in Saskatchewan and Alberta. He could not get it because the producer would not go to the wheat board for an export permit because it wants an extra 70 cents to $1 a bushel to put in the pool, and it does absolutely nothing with it. He is fed up with this malarkey. The wheat board will not buy it, move it or market it, but it wants a $1 a bushel for saying it is the wheat board. Does that make any sense? It does not make sense at all.

We are taking money out of the western economy, money that could be coming in.

Mr. Mac Harb: Rubbish.

Mr. Jake E. Hoeppner: If the member does not want to believe it, he can talk to every farmer from the Ontario-Manitoba border to British Columbia. They will tell him that they will need more funds. They cannot make ends meet. If we do not do something to increase the prices of grain or the income of farmers, the government will have a catastrophe on its hands like it has never seen before. Why not let them market their grain if they can get a better price?

I am astounded that as politicians we cannot listen to people when they tell us what is wrong. We have been across western Canada twice listening to the farmers. The Senate has been across western Canada. The farmers want a choice. I can guarantee the House that if it were a voluntary wheat board and there was trust in the wheat board it would market more wheat board grains than it would probably market special crops grains. It has been proven in other areas. They do not have accountability or trust. They do not want to listen to what farmers tell them.

If the wheat board did the job like it is claiming to do, it should have absolutely no objection to the auditor general looking at the books.

• (2255)

If there is nothing to hide why are we fighting tooth and nail to allow the auditor general to audit the books? To me there is something wrong. If Revenue Canada does not trust me it can audit my books. Since I started criticizing the wheat board and demanding accountability I have not had a five year audit but an audit every year. Is that not strange? All my life I was never audited until I started objecting to the practices of the Canadian Wheat Board. Tell me what is the problem.

If Revenue Canada found out that I had violated the law I would expect it to prosecute. Is that why the wheat board is hesitant to allow anybody to look into its books? If it is honest and if its books are in order it should have no problem with them being audited.

An hon. member: What did Deloitte & Touche do?

Mr. Jake E. Hoeppner: Deloitte & Touche legs eggs and we know what happened to what lays golden eggs. Who killed it? Who killed the goose?

Deloitte & Touche is a tremendous firm. Nobody said that Deloitte & Touche was not doing its job, but it can only audit what it is given to audit. I would like to ask the hon. member why, if Deloitte & Touche has done such a tremendous job, the trading activities under the commodity exchanges were not listed in that report? Why are they not in the report? For years the Canadian Wheat Board has denied that it uses commodity exchanges. I can show all sorts of records. There is no gambling or speculating. That is too bad.

All of a sudden we hear testimony before the Senate hearings saying that it is the biggest player on the Minneapolis Grain Exchange. It plays as much as we can. It will not allow farmers to do it. Why is that not recorded in its accounts?

I wrote the commissioner a letter asking for the annual statement of the trading activities of the wheat board. I also asked the minister for it. I have not received it yet. I would like to see it. There are all kinds of speculation that things are not quite on the level. The problem is that the suspicion is there and farmers will not deal with suspicion any more. They want facts and guarantees because they are not making enough money from wheat board grains.

I have another little story about the last couple of months. Farmers have been thrown in jail for exporting grain without export permits. Suddenly last winter I got complaints left and right that the Canadian grain companies were buying and milling wheat as off board feed wheat and that it was disappearing. I said that I could not do anything, that I needed facts, figures and documents. One farmer came forward with documents in black and white. There was a dollar a bushel premium for off board feed wheat compared with ordinary off board feed wheat.

I said that was illegal. That was not just breaking the wheat board act but the Canadian Grain Commission Act. It cannot distort grains. It has to pay the price at which it is graded. I said ''Now I have something''. Then I got a phone call from a farmer who said ''Jake, please don't use the information''. I asked him why. I told him that we could tackle the problem. He said ''I don't know what my neighbours are going to do to me. They will burn me out''.

I took it to the assistant commissioner of the RCMP whom I had contracted as a consultant and asked what I should do with it. I told him the guy did not want to give me the information to use and

asked what I should do. He said that I had information to start a criminal prosecution and then they would have to look at it.

• (2300)

What should I do? This is what grain companies are doing and what farmers are being thrown in jail for. That is something. That is the problem we have in our economy today. It is wrong if you do it and right if I do it. That is why the country is in such terrible shape.

White collar crime in organizations is unbelievable as are the tax dollars we lose in government. Nobody is willing to do something about it. We are all covering our own butts so we do not have to do something about it.

That system has to change or we will go the same route as the former Soviet Union and the other countries that have done it. Let us look at what has happened in the Philippines, Indonesia and other countries where white collar has taken over the economy.

If we want that in our country we can sit quiet, do nothing and let things be. That is not why I was sent to the House. I was sent to the House to keep the laws and to make sure they were enforced.

When I see things going on today in the business world it astounds me that we are still running as a country because that is not the basis on which the country was built. The country was built on honesty, integrity and hard work. Today it is a matter of how we do business and in what fashion we can rip off the next guy for the most dollars. That is not my idea of a true economy. I will fight tooth and nail to get rid of it because my children, grandchildren and great-grandchildren will have to pay for it some day. I do not want to be held accountable for it.

If that is not a warning I do not know what else I can do to warn the House. I have done what I thought was right. When I get a phone call in the middle of the night telling me I will be dead in half an hour, I get fed up. The RCMP cannot touch it.

What is going on? I am not fooling when I say I will get to the bottom of it one way or another. Those type of phone calls are not made by drunks. Those type of phone calls are made by people who want to intimidate and destroy. I ain't going to leave this place on that basis. They will have to put a bullet in me before I will leave. I hope they take that seriously because I am finished yet. I hope the minister understands that.

Thank you and God bless during the holidays.

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, I sat patiently listening to the debate tonight. I am not a grain farmer at all, but it struck me we have in the House a group of people on that side with 38% of the votes in the 1997 election and 100% of the power to impose their will upon the people. In western Canada they had maybe less than 20% of the vote and they still have 100% of the power to impose their will upon unwilling recipients of their favours, shall we say.

It reminds me of the early 1980s when Francis Fox, another minister who used to sit on that side, tried to impose his will on the people of Canada when people were trying to install satellite dishes to pick up free choice in television signals.

Francis Fox condoned the seizure of those dishes. In the Vancouver area they went around seizing satellite dishes off apartment buildings. In the end that minister lost the battle because although he had 100% of the power initially the group he was fighting was too big. That group wanted more choice than he could prevent. In the end he lost that battle and we got the freedom of satellite dishes.

Indirectly I relate that to what the Liberal government is doing today. It has this compelling urge to impose its will upon people who do not want that will imposed upon them. As I said, I am a person who is not a grain farmer. There are no western grain farmers on that side of the House. I heard a group of western grain farmers on this side of the House saying they want a choice like the people in the 1980s wanted a choice in satellite transmission of their television signals. I do not understand is why that group opposite wants to impose something different upon them.

• (2305)

I have a question for the member who just finished his speech. What does he feel is driving these people on the other side of the House to impose their will upon unwilling grain farmers?

Mr. Jake E. Hoeppner: Mr. Speaker, I thank my colleague for that question. I cannot figure it. I do not know why. Politically what is being done is dumb. The Liberal caucus will not gain any votes by doing what it is doing.

Some day it would be very wise, as I have said before, to have free votes on some of these issues. They would understand better. The Liberal MPs from Ontario do not object to Ontario farmers having a totally elected board and having the option of selling some or all of their grain to the export market in the United States. They want it. Western farmers want it. Why do they not give it to them?

If they can declare the Canadian Wheat Board voluntary its business would pick up. It would handle more grain. Over the 35 years I have farmed people always supported the wheat board regardless of whether or not they made money. They felt it was an agency that could be trusted. All of a sudden they lost trust in the wheat board.

When the farmers came to me I started looking into the irregularities. I never expected in all my life that I would have to deal with that issue as my first issue as an MP. I never dreamt of it. The more we looked into it and the more documentation we looked at, we found something was wrong. When one farmer gets $1 to a

$1.10 more than another farmer for the same quality wheat something is wrong in the pooling system.

It did not happen to strangers. It happened in my family. It happened to two of my brothers. They farmed 10 miles apart. One actually had better quality wheat. He got a $1.10 less a bushel than the other brother who had poor quality fusarium wheat. It was because there was competition between elevators in one place and in the other place there was not.

To all members on that side and to the minister I say to me that is not honesty and not what the pooling system was set up for. That is why I think these people cannot understand. We have 101 seats in Ontario. They satisfy their farmers but they are not willing to give the same opportunities to farmers in western Canada. It will backfire.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I have to make a comment because the member just said that in essence what was wrong with the government's position of this excellent bill was that we were not trying to earn votes. This was precisely what killed the Conservative Party. It was always introducing legislation and establishing policy that would gain it votes.

The government introduces legislation that is responsible, legislation that is right and legislation that is good for all Canadians. That is what democracy is all about.

Mr. Jake E. Hoeppner: Mr. Speaker, I agree completely with the gentleman. The only thing I do not agree with is that they are not buying votes in Ontario by giving farmers a marketing choice. They have the votes in Ontario and they are desperately trying to hand on to them. That is why they are allowing their farmers to have these options.

If they want some votes in western Canada they better come clean and give us the same opportunities, or they will divide the country more than they have so far.

• (2310)

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is 11.10 in the evening and there is a considerable gallery of hecklers across the way who seem to be having grand time contributing little to the debate, I might note, but a lot in the sense of heckling members who are trying to debate a very important western Canadian issue. Despite all this I would like to get back to what my hon. colleague from North Vancouver was asking the member earlier. Why is the government imposing the bill upon western Canadian farmers?

In light of that I am pleased the minister responsible for the Canadian Wheat Board is in the Chamber this evening at 11.10. I would certainly welcome his comments on why they are doing that if he would choose to rise following my colleague's comments.

Mr. Jake E. Hoeppner: Mr. Speaker, I am running out of answers. The questions are coming fast and furious.

I would put it this way. I have given my viewpoint as strongly as I can and I think my colleagues have done the same. I must say we have become very successful in this debate. Look at the audience we have on the Liberal side. Look at the ministers putting in some work or listening. After all it is close to midnight.

We are doing something right on this side. I will turn it over to the minister and ask him whether he would like to respond to that question too. I would like to ask unanimous consent from the House to have him reply.

The Acting Speaker (Mr. McClelland): Part of the order that we made earlier for this debate precludes any unanimous consent motions.

Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): There being no further members rising on debate, pursuant to order made Tuesday, June 9, 1998, the question on the amendment now before the House is deemed to have been put and a recorded division deemed demanded and deferred until Thursday, June 11, 1998 at 1 p.m.

It being 11.11 p.m., pursuant to order made on Tuesday, June 9, 1998, the House stands adjourned until tomorrow at 9 a.m.

(The House adjourned at 11.11 p.m.)

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