



CANADA

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OFFICIAL REPORT
(HANSARD)

Thursday, September 20, 2001

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, September 20, 2001

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(0955)

[*Translation*]

EXPORT DEVELOPMENT ACT

Hon. Pierre Pettigrew (Minister for International Trade, Lib.) moved for leave to introduce Bill C-31, an act to amend the Export Development Act and to make consequential amendments to other acts.

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

* * *

•(1000)

CANADA-COSTA RICA FREE TRADE AGREEMENT IMPLEMENTATION ACT

Hon. Pierre Pettigrew (Minister for International Trade, Lib.) moved for leave to introduce Bill C-32, an act to implement the Free Trade Agreement between the Government of Canada and the Government of the Republic of Costa Rica.

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

* * *

[*English*]

NUNAVUT WATERS AND NUNAVUT SURFACE RIGHTS TRIBUNAL ACT

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.) moved for leave to introduce Bill C-33, an act respecting the water resources of Nunavut and the Nunavut Surface Rights Tribunal and to make consequential amendments to other acts.

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

•(1005)

[*Translation*]

PENSION BENEFITS STANDARDS ACT, 1985

Mr. Stéphan Tremblay (Lac-Saint-Jean—Saguenay, BQ) moved for leave to introduce C-394, an act to amend the Pension Benefits Standards Act, 1985 (investment criteria).

He said: Mr. Speaker, it gives me pleasure today to introduce this bill to amend section 7.4 of the Pension Benefits Standards Act, 1985, in order to require the administrator of a pension fund to prepare an annual report of the social, ethical and environmental factors that have been considered, during the previous fiscal year, in the selection, retention and liquidation of investments under the administrator's responsibility, as well as in the exercise of any rights, particularly voting rights, thereto associated.

The administrator provides, without charge, a copy of the report to every member who requests it.

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

* * *

[*English*]

NATIONAL CRIME STOPPERS' DAY ACT

Mr. Bill Casey (Cumberland—Colchester, PC/DR) moved for leave to introduce Bill C-395, an act to establish National Crime Stoppers' Day.

He said: Mr. Speaker, I am pleased to rise to introduce this bill to establish a national crime stoppers' recognition day, and I am pleased that it was seconded by the hon. member for Saint John.

The crime stoppers is a total volunteer organization that raises all its own funds. It delivers all its own services. It frees up time for our police forces that are reeling from cutbacks. It has an extraordinary rate of success. For every dollar invested it recovers \$20. I believe this crime stoppers' day will help acknowledge its contribution and give it the credit it deserves.

I want to thank Jack Kline of Amherst, Nova Scotia, and Ernie Lund of Truro, Nova Scotia, for helping me gather up the background for this private member's bill to establish a national crime stoppers' day.

Privilege

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

* * *

PETITIONS

CONGENITAL HEART DEFECTS

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, on behalf of citizens across Saskatchewan and Alberta I wish to enter a petition to have February 14 recognized as National Congenital Heart Defect Awareness Day.

KIDNEY DISEASE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present another petition from people concerned about kidney disease in Canada.

The petitioners would like one of the institutes of the new Canadian Institutes of Health Research to be renamed the kidney and urinary tract diseases institute. The point is not that the institute concerned is not doing wonderful work for kidney research but that the petitioners believe it is much more appropriate that the public understand what an institute does and therefore that the word kidney be represented in it.

The petition was initiated by Ken Sharp of Peterborough who used the 25th anniversary of his commencing dialysis treatment to give extra publicity to this cause.

•(1010)

VIA RAIL

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I would like to present three more petitions, no less, from citizens of Peterborough who would like to see VIA Rail service between Toronto and Peterborough re-established. The petitioners see great environmental and business advantages to this. They urge the Parliament of Canada to do all it can to influence the Government of Canada to return VIA Rail service to Peterborough.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is it agreed?

Some hon. members: Agreed.

* * *

PRIVILEGE

BILL C-15

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, your office would have received notice yesterday at 3.20 p.m. that I would be rising on a question of privilege on Bill C-15, the omnibus bill.

I rise on a question of privilege today with respect to the bill, an act to amend the criminal code and to amend other acts. Our ability as parliamentarians to vote on and debate Bill C-15 is impeded because Bill C-15 reflects several unrelated principles, making it impossible for members of the House to cast their votes responsibly and intelligibly on behalf of their constituents.

A member's rights to vote and to be heard properly are well established rights that undisputedly make up the powers enjoyed by members of parliament. In a constitutional democracy, the right of members to vote is fundamental and goes to the heart of our parliamentary system. The 1993 Supreme Court of Canada decision in *New Brunswick Broadcasting Co. v Nova Scotia* confirmed the constitutional nature of parliamentary privilege on this very basis.

Many of the powers and privileges of members and the House are the result of centuries of practice and convention. The courts have clearly recognized that conventions are part of our constitution. Our legislative procedures, including voting, are part of our historical heritage, our parliamentary traditions and indeed of the privileges collectively of the House and individually of its members.

This matter should be resolved through a question of privilege because the work of members as legislators is being threatened. History will show that omnibus bills bring frustration and dysfunction to the House of Commons and indeed are cause for alarm.

One speaker was prompted to ask on January 26, 1971, which you will find at page 284 of *Hansard* of that day:

—where do we stop? Where is the point of no return? ...We might reach the point where we would have only one bill, a bill at the start of the session for the improvement of the quality of life in Canada, which would include every single proposed piece of legislation for the session. There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint.

I would argue that the numerous and unrelated principles in Bill C-15 bring us to the point where we have gone beyond what is acceptable. Bill C-15 is seeking our approval, with one debate and one vote, of eight general topics: first, child luring and child pornography over the Internet; second, animal cruelty; third, amendments to the Firearms Act, the act known as Bill C-68; fourth, criminal harassment; fifth, home invasions; sixth, disarming or attempting to disarm a peace officer; seventh, a substantial reform of criminal procedure in the country; and last, allegations of miscarriage of justice.

This is unacceptable. I believe this bill could, with some justification, be broken down into five general subject areas: first, provisions dealing with child luring and child pornography; second, provisions dealing with cruelty to animals; third, provisions dealing with amendments to the separate act, the Firearms Act; fourth, provisions dealing with amendments to the criminal code and other acts in respect of criminal harassment, home invasions and disarming a peace officer; and fifth, reforming criminal procedure and procedures to address miscarriages of justice.

On page 619 of *Marleau and Montpetit* it is suggested that historically disputes over omnibus bills are brought about by political interaction. Page 618 describes one of those interactions. It describes how the opposition paralyzed the House for 14 days in 1982.

Privilege

●(1015)

Fortunately or unfortunately that type of persuasion is no longer available to the opposition. For the record, the opposition attempted to reason with the government and have Bill C-15 divided, but the government was unwilling to listen. Indeed, the minister has reiterated her position and this summer indicated that she would be bringing more bills of this type.

I think, Mr. Speaker, that you have today in your hands the ability to stop this dangerous trend, which is not simply a trend that is oppressive to the opposition parties in the House but indeed is oppressive to the people of Canada who send us here to vote in accordance with their wishes.

With respect to a procedural solution, I have reviewed the rulings on these types of complaints that have been raised in the past and have concluded that a satisfactory procedural remedy is not apparent.

On May 11, 1977, at page 5522 of *Hansard*, the Speaker shared some of these views. He said:

This still leaves, as it has in the past every time this kind of argument has been put forward, some very deep concern about whether our practices in respect of bills do in fact provide a remedy for the very legitimate complaint of the hon. member that a bill of this kind gives the government, under our practices, the right to demand one decision on a number of quite different, although related, subjects.

I think an hon. member of the House ought to have the right to compel the House to vote on each separate question. Previous rulings have made reference to several devices open to hon. members under our proceedings regarding bills, but it seems to me that each which has been mentioned in the past suffers from at least one weakness.

In the absence of a satisfactory resolution or procedural solution to resolve this matter, in the absence of political will, and given the minister's very clear comments that not only will she refuse to engage in any discussion relating to breaking the bill into separate bills but she in fact intends to pass more of these bills and bring more of these types of bills to the House, I think the powers of the Speaker should be invoked.

I propose that Bill C-15 should not be allowed to proceed any further in its present form on the grounds that it has a tendency to impede the House and its members in the performance of their function and the discharge of their duty.

Parliament is fundamentally about debate. The government's use of this omnibus bill is another attack on our ability to debate. The opposing views of the opposition cannot be properly heard. No matter which way we vote on this bill it will not express our views and the views of our constituents.

Thank you, Mr. Speaker, for your patience. I look forward to your ruling and the comments of others in the House.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, I very much attach myself to the comments of the hon. member for Provencher. This new tact that the Minister of Justice, backed by the government House leader and the government, has taken on the issue is holding up very important legislation.

There was unanimous agreement among the opposition and many members of the government's side to pass the more palatable elements of Bill C-15 in the last parliament. We could have had the bill in place last June.

●(1020)

The Speaker: I know this may be interesting history but the point is whether or not this is an omnibus bill and whether the Speaker has authority to divide it. That is the point I would like the hon. member to address.

We already have the general background from the hon. member for Provencher and I would not want to prolong this unduly.

Mr. Peter MacKay: Mr. Speaker, I take the point very well. The hon. member for Provencher has clearly put before eight inconsequential elements to the bill that are being force-fed by the government to the opposition. It is telling us to take it all or leave it. We would then face the wrath of the public because we would be painted as having been against protecting children and police officers.

The bill is inconsequential. The elements do not fit together and therefore the opposition does not have the opportunity to debate these very important issues placed before the House in the true context in which they exist.

We are being told to take all the bills together, mix them up, change various pieces of legislation and produce one piece of legislation that would then be presented to the public. Yet the ability to focus on the key elements of it is denied by virtue of having the bill brought forward in such a large incongruous fashion.

There is a preferred option here, which even exists among members of the government, to bring forward separate legislation which would allow members of the opposition and indeed all members of the House to focus on the specific aspects that exist.

The hon. member mentioned five separate pieces legislation. We would be happy if it were two or three, but to bring it all into one large overwhelming piece of legislation that touches on many different elements, some of which are not even found in the criminal code—

The Speaker: The hon. member is on a question of privilege on whether the Chair has the authority to deal with this matter. It may be of interest to hear again the evils of the bill, but that is not the point of the debate.

I would like to know what authority the hon. member suggests that the Chair has to divide it. I must say that I am having trouble getting any information on that point in any of the arguments presented so far.

Mr. Peter MacKay: Mr. Speaker, I thank you for your patience. At present the precedents are very clear that a motion can divide a bill after second reading. However, since that precedent, the standing orders were amended to permit a bill to be referred to committee prior to second reading. I would invite the Chair to consider whether a motion to divide a bill can now be received before second reading.

If that is the case, we would very much like to see the bill go back to the Department of Justice, that it be properly divided and brought before the House in a fashion with which all members and all Canadians would have a much greater comfort level.

Privilege

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I draw the attention of the Chair to the following points. First, the alleged question of privilege raised does not give any indication of a motion referring this issue to the appropriate committee. Therefore the request is deficient right away in that regard.

Second, the summary of the bill clearly indicates that this enactment amends the criminal code. Yes, it amends more than one clause in the code, but it amends the criminal code and firearms legislation and we do know the association of both.

It does not amend the Income Tax Act, the provisions on widgets and something to do with foreign affairs. It is not an omnibus bill gathering a whole variety of issues not generally associated with one another. Even in that regard, Speakers have been very reluctant to interfere.

I refer the House to pages 616 and 617 of Marleau and Montpetit. Again these arguments would be responding to a point of order, were there one before the House, and not to a question of privilege, which I do not even believe exists in any case. However, be that as it may, it says:

It appears to be entirely proper, in procedural terms, for a bill to amend, repeal or enact more than one Act, provided that the necessary notice is given, it is accompanied by the Royal Recommendation (where necessary), and it follows the form required.

Interestingly enough, the footnote attached to this reference refers to criminal code amendments. It cites the case of Bill C-95 and associated amendments to the Correctional and Conditional Releases Act and so on, which were not the criminal code itself but other issues that were directly or indirectly associated and or similar, again all in the area of justice. It also states:

However, on the question of whether the Chair can be persuaded to divide a bill simply because it is complex or composite in nature—

Essentially that is the argument that we heard from the opposition critic a little earlier. It continues:

—there are many precedents from which it can be concluded that the Canadian practice does not permit this.

In other words, the Chair cannot permit a bill to be divided on the simple excuse that it is too complex. Examples of this are: Speaker Sauvé in 1983 and Speaker Fraser on Bill C-130, the Canada-United States Free Trade Agreement Implementation Act.

Some of us made some of these arguments at the time and they were deemed to be invalid. I believe I was one of them, Mr. Speaker, and someone you know well may also have been another one.

However it did not work. They were not deemed to be valid arguments. They are certainly no more valid today than they were then when put far more eloquently by someone I know well.

●(1025)

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I think you have before you some good arguments by the government House leader, including one from the time he himself was in opposition and could see that this approach was unacceptable.

I think, Mr. Speaker, that you could create a precedent in this regard. The member's arguments are very creditable. However, a look at the bill reveals that it contains some horrendous aberrations.

There is no way, even for the purposes of amending the criminal code, that cruelty to animals and cruelty to children can be considered on the same footing. Nor can sexual harassment and judicial errors. The standing committee on justice, which will consider this question and examine the bill, will have to hear experts on firearms, on children's rights, on cruelty to animals and the police on matters of home invasions. It is very complex.

I think the member is in good faith. I think everyone here is. The ultimate aim of this House is to ensure our laws are as good as they can be. For whom? For our constituents and for the people we represent. The easiest and most desirable way to do it in such a case would be to split the bill, because it contains aberrations. It is through the stubbornness of the Minister of Justice, to be fair, that this is not happening.

The Chair has the obligation, I think, in matters of the work of this House, to ensure matters are as clear as possible for the people we represent and for taxpayers, whom we represent also, and that legislation holds up, especially to enable the members of this House to have the tools they need to vote properly on such a bill. However, because of the way it was drafted by the Minister of Justice, this is not and will not be possible.

●(1030)

[English]

The Speaker: The Chair has carefully weighed all the arguments put forward by hon. members this morning. I thank them for their interventions.

In my view this issue is not a question of privilege. At best it is a point of order and I will treat it as such. I do not believe the privilege of the House is involved in the discussions on this matter.

I can only note that Bill C-15, which is before the House, deals with amendments to the criminal code and other acts. The other acts are pretty consequential. There are minor, slight changes but almost every amendment in this voluminous bill deals with the Criminal Code of Canada.

I can only imagine what a nightmare it would be for the Standing Committee on Justice and Legal Affairs to be studying the whole criminal code if that were the act before the House for passage.

One day it was. One day the criminal code was adopted in the House. It dealt with far more issues than are dealt with in Bill C-15 and it apparently got through somehow.

There were no invitations extended to the Speaker that we know of to divide that bill into chunks. If such arguments were put forward they were ignored because there has not been a single precedent cited to the Chair where the Chair has in fact split a bill. I note that in all the arguments this morning. I have asked for this kind of citation and have found none because I submit there is no precedent for the Chair to split such a bill.

I can only refer, as the government House leader did in his argument, and he got there before I got to it, to the sections of Marleau and Montpetit to which I had reference after receiving the notice of the question of privilege from the hon. member for Provencher yesterday. I cite again from this work:

It appears to be entirely proper, in procedural terms, for a bill to amend, repeal or enact more than one Act, provided that the necessary notice is given, it is accompanied by the Royal Recommendation (where necessary), and it follows the form required. However, on the question of whether the Chair can be persuaded to divide a bill simply because it is complex or composite in nature, there are many precedents from which it can be concluded that Canadian practice does not permit this.

The citation referred to in support of that contains, for example, the rulings of Madam Speaker Sauvé which were referred to in argument in which she refused to divide the bill then before the House, which caused such trouble and the bell ringing incident.

Then of course there was the decision of Mr. Speaker Fraser when he was asked to divide the Canada-United States Free Trade Agreement Implementation Act. That was in June 1988, and I know the hon. government House leader may have been arguing the point in June. If he was suggesting that someone I knew more personally was involved he is incorrect. I was not elected to the House until November 1988 and I was not part of that argument. In any event, the argument was lost and Mr. Speaker Fraser said this:

Until the House adopts specific rules relating to omnibus Bills, the Chair's role is very limited and the Speaker should remain on the sidelines as debate proceeds and the House resolves the issue.

I have to rule with reluctance that it is not for the Chair to divide a bill in the House. The argument I think would be stronger were this what could be called an omnibus bill, that is one dealing with a myriad of amendments to many different acts, as was the case, for example, with the free trade implementation bill, rather than a bill which seeks to amend one act of the Parliament of Canada.

[Translation]

In my opinion, this is not a point of order, and we can get on with debate.

[English]

The hon. member for Pictou—Antigonish—Guysborough has eight minutes remaining in the time allotted for his remarks. He made the initial twelve minutes of his speech on May 7 earlier this year. I must say I have forgotten what he said on that occasion and am looking forward to the remaining eight minutes of his speech.

* * *

BUSINESS OF THE HOUSE

Mrs. Elsie Wayne (Saint John, PC/DR): Mr. Speaker, I rise on a point of order. At noon today in room 200 of the West Block there will be an interfaith service to commemorate the thousands of victims killed in New York last week. The American ambassador will be there and I believe our Prime Minister will be there as well. I know that many members want to be there but we find it difficult when the House is in session.

I therefore ask, in consultation with all House leaders in the House today and with their concurrence, for unanimous consent to move the following motion:

Government Orders

That at 11.30 today the House suspend until 1.30 and that the House sit from 6.30 p.m. to 8.30 p.m. this day to consider Government Orders.

● (1035)

The Speaker: Does the hon. member for Saint John have unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[English]

CRIMINAL LAW AMENDMENT ACT, 2001

The House resumed from May 7 consideration of the motion that Bill C-15, an act to amend the Criminal Code and to amend other acts, be read the second time and referred to a committee.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, having heard your ruling I accept it. The bill is not one with which there is a degree of comfort on the part of many members. That is not to say for a moment that we do not support the positive changes contained in the legislation. However the issues are in many instances difficult to deal with at one sitting because of their complex nature.

Eight separate and distinct issues are contained in this omnibus bill. We have asked numerous times, as recently as a few moments ago, to split the bill because it contains unrelated issues. In my opinion some of these issues trivialize the more important ones within the legislation.

I am talking particularly about changes that would ensure greater protection for children on the Internet and changes that would provide greater protection for police officers by making maximum sentences more proportionate to the harm that can be done when an individual tries to disarm a police officer.

When we compare these with some of the more minor procedural changes within the bill it makes it confusing to deal with in the Chamber and difficult for Canadians to understand. When the bill goes to committee we will be forced to bring forward witnesses from all four corners of the country to talk about all the different bills at one time. That is not a productive and positive use of members' time.

The minister obviously has a bit of a political agenda. She wants to ask members of the House of Commons to vote for her amendments though she knows there is great resistance and reluctance on the part of some, particularly to the bill's cruelty to animal provisions. These are very troubling for cattlemen, ranchers, and those involved in hunting and angling.

There is also a great deal of resistance because of the ill-fated, ill-conceived, cumbersome, overexpensive, bureaucratic and quite useless long gun registry foisted upon the country at a cost of nearly a billion dollars.

Government Orders

Jamming all this superfluous legislation down the throats of members by bringing it forward in an omnibus form is quite offensive. The minister has indicated she will bring forward more legislation in the same vein.

Turning to more important matters within the bill such as those dealing with child stalking on the Internet, this is the type of legislation for which we have been crying out for some time. Had the bill been presented properly in the first instance these elements of it would have been passed last June.

However the minister again dug in her heels and decided she would stick to her guns. We know the minister wants to get rid of all long guns and ensure that somehow only criminals and police will have guns.

There is concern from the high tech industry regarding the bill's child stalking provisions. Subsection 163.1(3) would subject Internet service providers to criminal liability for third party content unless they could prove they did not have actual or constructive knowledge that the information was being disseminated on the Internet.

There is therefore concern about the resources that would be required of Internet providers to police the Internet on their own.

We are supportive of the home invasion and criminal harassment aspects of the bill. Clause 23 states that in cases of break and enter, robbery and extortion the courts must consider as an aggravating circumstance the fact that the dwelling house was occupied. This refers to the principle of home invasion.

We would have preferred that a separate offence be created for home invasion. It would have a greater deterrent effect and would be a more straightforward way to deal with this type of offence. There is no specific reference to home invasion in the criminal code.

The courts refer to it. Police, prosecutors and lawyers know what we speak of when we talk about home invasion. It is perhaps one of the most startling experiences a person can have, particularly elderly people who feel quite threatened in their own homes.

•(1040)

We in the Progressive Conservative Party/Democratic Representative Caucus Coalition would prefer to have a separate offence created for home invasion.

We also support the bill's criminal harassment elements. In 1993 the Progressive Conservative government of the day passed Bill C-126 which added the offence of criminal harassment to the criminal code.

Bill C-15 would increase the maximum prison term under paragraph 264(3)(a) of the criminal code from five years to ten years. This is a suggestion we support. Senator Oliver in the other place has brought forward similar legislation. It is a cause he has supported for many years.

Bill C-15 would not increase penalties for harassing phone calls, indecent remarks or intimidation on the phone. Yet these are forms of harassment which can result in or give rise to more serious crimes. Perhaps we will have an opportunity to delve into that at committee.

The cruelty to animals provision is one of the controversial elements I pointed out in my earlier remarks. In recent years numerous incidents of cruelty and mistreatment of animals have alarmed Canadians and caused great public concern. Cruelty to animals may be the precursor to violent behaviour toward people. Bill C-15 might help prevent certain types of violent crime against people if it is enforced in a logical and reasonable fashion.

Although the amendments target the behaviour Canadians reasonably expect people to exhibit toward animals, there is particular concern about the wording.

The offence section contains wording such as wilful, reckless or without regard for the consequences of the act. One would hope the judicial interpretation of these words would protect the longstanding practices we have seen exercised by furriers, ranchers and those who make their living working with animals.

No one in the PC/DR coalition wants in any way to condone cruelty to animals. However we must be mindful and protective of those who engage in activities that are their livelihood. Changes that would require licence renewals, authorization and more bureaucratic steps would have a financial impact on people who have conducted their businesses reasonably for many years without any sort of cruelty toward animals.

This is a complicated bill. I wish I had more time to delve into other aspects of it. It deals with amendments to the criminal code that touch on miscarriages of justice which have allowed individuals like Stephen Truscott to suffer grave injustices at the hands of prosecutors and our justice department.

There are elements of the bill we hope to be able to sort through at committee. I look forward to that opportunity.

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I listened with interest to what my colleague had to say. He recognized that there have been considerable changes since the old Bill C-17. The hon. member mentioned the words wilful and wilfully. It is my understanding that because of representations made by members on all sides of the House these words will be returned in the definition.

The question of an unclear standard of negligence has already been dealt with. The reintroduction of the word unnecessary in the offence of causing pain by negligence has already occurred. I was very interested in that change.

The animal cruelty provisions have been moved from the sexual offences and public morals section to a section of their own. That is important because it shows the industry that animals are not viewed as human beings.

There have been other changes as well. I would simply say to my colleague that the government already made these substantial changes before committee stage.

Government Orders

Does the hon. member not think the best thing we could do with this part of the bill is move as quickly as possible to committee stage? The committee could then have hearings and we could put the bill, which has been before us and has already been modified, into the public eye as quickly and effectively as possible.

• (1045)

Mr. Peter MacKay: Mr. Speaker, I certainly agree that the wording in that particular section is more palatable now and it is one that has given some level of comfort to those who engage in activities involving animals.

I have received numerous correspondence from individuals who still have grave concerns about how this will impact on their livelihood and on very legitimate activities. The moving of these sections from the property section into a separate section in the criminal code is something that causes great concern. For example, section 445 deals with without lawful excuse with respect to the killing, maiming, wounding, poisoning and injuring of dogs, birds or animals that are not cattle and are kept for lawful purpose.

All of the changes, which basically create a new section around the issue of animals, put some potential jeopardy and certainly puts fear into the hearts of those who have engaged in the livelihood of raising animals and trapping and hunting animals. I know there are many in the country who do not agree with these practices and yet these are practices that one could argue that this country was founded upon in terms of furriers.

We are still not at a complete comfort level on these particular elements. Our preference would have been to have that section carved out and dealt with by the justice committee in a comprehensive fashion to hear from those affected stakeholders. If that had happened, we could have passed these other very positive elements that the hon. member has outlined post-haste. We could have had those in place and operating in this country now. We on this side of the House were prepared to do that last June but because of politics and an intransigent stance taken by the Minister of Justice, we are still here wrangling over these very important changes that should take place in the criminal code.

Mr. Grant McNally (Dewdney—Alouette, PC/DR): Mr. Speaker, I believe my colleague from our coalition made strong and persuasive arguments on the bill. He indicated that he would like to comment further and I would be interested in hearing his comments on the improvements that need to happen in this bill.

Mr. Peter MacKay: Mr. Speaker, some of the changes that could have occurred would have led to less discrimination toward anglers and hunters in particular. One specific change would have been to stop the practice of registering long guns. The bill throws in yet again another controversial element of another bill that has no bearing whatsoever on cruelty to animals, stalking or the disarming of a police officer. It further aggravates the opposition to have the element of long gun registration and streamlining of the Firearms Act tossed into the mix. These are changes that are supposed to consolidate statutory authority over all the operations of the Canadian firearms commissioner who reports to the Minister of Justice supposedly to enable Canada to meet its obligations under the United Nations firearms protocol. These inconsequential elements of the bill detract from the important elements that deal with stalking on

the Internet, the protection of children and the protection of police officers in criminal harassment cases.

It is unfortunate that we find ourselves in the dilemma of having eight separate elements coming together under one umbrella so that the government can pass this legislation in one fell swoop when we know that had it done this in a more reasonable fashion we could have had those elements last June. We could have been dealing with these other controversial issues at an appropriate time and in greater detail.

I would move the following amendment to Bill C-15. I move that the motion be amended by striking out all the words after the word that and substituting the following words: this House declines to give second reading to Bill C-15, an act to amend the Criminal Code and to amend other acts, because the bill contains many unrelated proposals thus denying members of the House the ability to vote meaningfully at second reading on the content and principles of the bill.

• (1050)

The Acting Speaker (Mr. Bélair): I declare the amendment in order.

Mr. Kevin Sorenson: Mr. Speaker, I rise on a point of order. I do not think moving a motion like that after the question and comment portion of the member's speech is in order. I think if you check you will find that it needs to be moved after the time allotted him to speak to the bill.

The Acting Speaker (Mr. Bélair): The hon. member for Crowfoot is right. The member for Pictou—Antigonish—Guysborough's amendment should have been tabled at the end of the member's speech and not at the end of questions or comments.

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, I will be splitting my time with my hon. colleague for Crowfoot. It is a pleasure to rise today to speak to Bill C-15. This omnibus bill covers a number of issues. It is unfortunate that the government continually plays politics with legislation.

The bill contains a number of good initiatives which would likely receive support from most if not all parties and those proposals would receive speedy passage toward law. There have been repeated calls from the opposition to split the bill in order to facilitate such speedy passage of those sections but the government has refused for what can only be perceived as political reasons.

In 1995 the DNA bill, Bill C-104 was passed the same day it was introduced. I believe we could have done much the same with many parts of Bill C-15. It would be difficult to foresee many members having much opposition to creating an offence for taking a weapon from a peace officer in the performance of his or her lawful duty.

Similarly, it would be difficult to foresee members having much opposition to increasing the maximum sentence for criminal harassment but the government seldom seems interested in bringing forth legislation in a timely fashion.

Government Orders

A bill like this one is like a bushel of apples. We have a number of nice, ripe, delicious apples on top but underneath we find a few less palatable. Those who decide not to buy the barrel, rotten apples included, will be quickly condemned by the government for refusing to accept all the good apples.

Those who oppose Bill C-15 will be characterized as being against the police, against the victims of stalking and criminal harassment and against increasing penalties for home invaders.

The government has been more concerned with playing politics than in providing those protections before more offences are committed, before police officers and citizens are further victimized. It has been months since the legislation was introduced and I dare say it will be some time yet before it receives passage.

If not for the fact that I consider our work here to be important, I would feel inclined to characterize much of what goes on here as being ridiculous and scandalous.

The issue of criminal harassment was before parliament a few short years ago and at that time the government was not interested in increasing the punishment. Even now I question whether the government is really interested in properly addressing those offenders who stalk and harass.

Bill C-15 increases the maximum sentence for criminal harassment to 10 years from the present five years but it remains a dual procedure offence. We are sending a message that it is okay to merely fine or slap the wrist of those who stalk. If stalking is to be considered serious, it should be an indictable offence only but the government refuses to do that.

As well, I find it most interesting that the bill will now make home invasions an aggravating factor for sentencing purposes.

A couple of years ago I made the suggestion in a motion before the justice committee. The Liberal majority defeated it. The member for Winnipeg South even went so far as to characterize my suggestion as being silly. I doubt whether he will be as condescending toward the Minister of Justice and the Liberal caucus for introducing this better later than never improvement to the law regarding home invasions. This place is indeed a wonder of work.

One day the government calls an idea silly because it comes from the opposition benches and before long we see it claim the same proposal is its own. It is amazing.

I support the proposals concerning changes to the child pornography provision. When the Sharpe decision arose in January 1999, I urged the minister to review the legislation at that time. The minister procrastinated claiming that the courts would overrule Mr. Justice Shaw's ruling. In the meantime, we still had questionable law. She said the same when the B.C. Court of Appeal ruled against her and she was forced to hold out hope for the Supreme Court of Canada, which eventually did not even give its full support.

Now, well over two years later, the government is finally getting around to proposing some improvement for the protection of our children.

I support the luring of a child provisions of the bill but will those provisions really do anything to protect children? This new offence

refers to a number of already illegal actions. An offence is created if someone lures a child by means of a computer system, presumably via the Internet, for the purpose of facilitating any number of criminal offences such as sexual assault, sexual touching or indecent act, et cetera.

How will it be proven that the luring was for the purpose of facilitating any one of those criminal offences? We have not been particularly successful in getting into the minds of offenders as to their intentions. We usually have to impute intent from the acts of the offenders. When the offender commits sexual assault he or she can be tried for that sexual assault. There seems to be little added benefit of having this luring a child offence.

●(1055)

There is not even added punishment for using the Internet to entice a child to meet for those nefarious purposes. In fact most of the maximum punishments are reduced should the crown decide to proceed under the luring provision rather than the substantive offence. Luring has a maximum of five years when most of the offences referred to have a maximum of a 10 to 14 year range.

To me, all this government propaganda to publicize its actions to prevent child luring over the Internet is as Shakespeare said, "Much ado about nothing". Again, it is truly amazing.

The cruelty to animal provisions of this bill pose a problem. Before anybody gets carried away with a political reaction, let me say that I fully understand that most of the concern with these provisions comes because of a rural versus urban interest in animal protection. I also understand that the rural constituency of this country is just as interested in standing up for pets as well as other animals. It is just that farmers also have an interest in protecting their property and livestock from predators of the four-legged variety.

We have two cats and a dog in our home and we care deeply for them all. I understand the reason for laws to protect them from abuse and harm but I can also appreciate that there may well be conflicting interest at play in everyday farming practices. For instance, the new section, paragraph 182.2(1)(b) states "Everyone commits an offence who wilfully kills an animal". What about a fox in the henhouse? The farmer who wilfully kills that fox to protect his chickens, I would argue, is at risk by this provision. Some will argue that he had to do it, so it was not wilful. Others will state that he fully intended to kill the fox so he wilfully acted. Does this section intend to protect the fox in those circumstances? That appears to be the case and, if so, it is wrong.

Similarly with the wolf attacking the flock of sheep. When it is killed to protect the flock is it not a wilful killing? There is a definition of wilfully causing an event to occur within the criminal code but it does not apply to the animal cruelty provisions. I hope the government will be open to some change in this area.

Government Orders

Paragraph 182.3(1)(a) states “Everyone commits an offence who negligently causes unnecessary pain to an animal”. On cattle farms and ranches it is common to have to castrate most, if not all, of the steers in a herd. This is done to prevent inbreeding and to manage the growth and lineage of the herd. Does the rancher who castrates those steers, thereby causing some discomfort to the animal, not offend this section? I appreciate that there is a definition of “negligently” which means departing markedly from the standard of care that a reasonable person would have. Does this mean the reasonable rancher? What is reasonable to a farmer or a rancher may not be reasonable to the city dweller who views any form of castration or even branding with a hot iron as causing unnecessary pain to an animal.

I can sympathize with those who have great concerns over where we are headed with this legislation. The government has been silent on explaining its reasoning on these issues.

I support the provision to create an offence of disarming a peace officer. It is too bad that the police have had to wait for years for this protection. I must note that police forces have also been lobbying for additional protections for their dogs and their horses. These animals are an essential part of the arsenal for public safety. If they are afforded no more protection than an ordinary pet they may be killed or seriously injured in the line of duty and yet we do not have any laws to protect them any more than any other animal.

The taxpayer spends a lot of money to train these animals. When they are laid up with injury or die in the line of duty, our communities are deprived of a valuable resource.

During the last parliament, a group of students from British Columbia organized Project SHEP to lobby for more protection for police animals. Some members of the justice committee had an informal meeting with police dog handlers representing these young people. They were assured support from committee members, including government members. Now we are told that the Minister of Justice is not supportive of tougher sanctions against those who would harm law enforcement animals. That is indeed unfortunate.

I am prevented by time to debate all the problems this legislation will cause over its changes to the preliminary hearing process and its requirements for defence lawyers to provide notice of expert testimony. I am sure that the defence bar will be avidly pursuing these issues. It is once again obvious that the government is bringing in this legislation on its own initiative without much consultation with those most affected. Once again, witnesses will appear before the justice committee to present the arguments and once again the government will likely dig in and refuse to entertain amendments. Seldom do we ever see substantial amendments to government legislation. We see much in the way of technical amendments because the legislation is brought to the House without a great deal of review or forethought.

•(1100)

For some reason the government is ready to admit its technical glitches but balks when it comes to making significant adjustments, in spite of reasoned and well-intentioned debate for change.

Like this bill, we may eventually see some adjustment two years from now when the government will lay claim to the idea. Bill C-15 is just another example of this. Therefore, I move:

That the motion be amended by replacing all the words after the word “that” with:

“this House declines to give second reading to Bill C-15, an act to amend the Criminal Code and other acts, since the bill reflects several unrelated principles rendering it impossible for the House to make a responsible and intelligible decision”.

•(1105)

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, I rise to today to participate in the debate on Bill C-15, an act to amend the Criminal Code and other acts. I really feel as though I am standing to give two or three speeches.

This is an omnibus bill that has some very distinct different pieces of legislation within it. While there are some very good pieces of legislation in the bill, there are some very bad ones. The bill is the good, the bad and the ugly.

Bill C-15 contains a number of amendments which we would like to see and which we would be in favour. Some parts of the legislation were requested by the Canadian Alliance before the House recessed. In fact, the Canadian Alliance requested that this bill be split so we could deal with those pieces of legislation.

We asked for a split in this bill to ensure speedy passage of those amendments dealing with child luring and child pornography over the Internet, leaving the more controversial part, that is the section dealing with cruelty to animals, for further review and debate. Government members voted against our motion. As a result, this summer more children fell prey to sadistic pedophiles, hunting them down via the computer.

In late August the Canadian Security Intelligence Service released its 2001 report. Among many other findings, CSIS said that the Internet provided an easy means for sexual predators to lure potential victims through conversations in chat rooms. The report reads:

Internet chat rooms and web sites dedicated to the sexual exploitation of children enable the collection and dissemination of child pornography at a faster rate than past methods of distribution. Requests for assistance received by law enforcement concerning child pornography on the Internet continues to rise in Canada. The anonymity of the Internet provides opportunities for sexual predators and pedophiles to lure children for sexual purposes.

I will briefly point out that CSIS also found that across this country child prostitution continues to be a threat. We must take every measure possible to protect children in the country and throughout the world. I therefore fully endorse the section of Bill C-15 that makes it easier to prosecute Canadian citizens or permanent residents who sexually abuse while abroad and engage in so-called child sex tourism.

Government Orders

Under the new law, it will not be necessary to obtain a formal request for prosecution from the respective other country. Although I do in theory support such measures, I would be remiss if I did not question the effectiveness of this Canadian measure aimed at eliminating child prostitution throughout the world. I am skeptical about how readily and easily this attempt to bring Canadian citizens to justice can be accomplished through this legislation.

Bill C-27 introduced and passed in the House in 1997 made it an offence for Canadian citizens to engage in sexual relations with children in other countries, an offence for which perpetrators would be prosecuted in Canada. While this bill was before the House, the Canadian Bar Association as well as a number of prominent Canadian lawyers said that although Bill C-27 provided "an admirable statement of principle" it would be virtually impossible to enforce. Alan Young, a criminal law professor at Osgoode Hall said:

We've seen this before with Parliament enacting a law with very little teeth. They've shown good intent but it is just not enforceable law. Think about it. How could it be? How are Canadian authorities going to become informed of these infractions? Any extra-territorial law is going to be fraught with political infractions and be nearly impossible to enforce.

With regard to the Internet, Jay Thomson, president of the Canadian Association of Internet Providers, a group that represents about 80 of Canada's largest Internet service providers, welcomed provisions of Bill C-15 saying that it would make life a lot easier for his group by putting the onus on the judges to define what was and what was not child pornography. Once a judge ordered a site or a link deleted, it would be easy for the provider to do so, according to Mr. Thomson.

• (1110)

The new bill would also give judges the ability to order the confiscation of any equipment, including computers, used in the commission of child pornography offences. Judges would also be given range to prohibit convicted makers of child pornography from having contact with children.

As duly noted I am sure, I have spent half the time allotted to me to pour out accolades on this piece of legislation and to provide some bravo to the government for bringing forward some good sections of Bill C-15. I must however turn to the contentious portion of the legislation and be critical of a bill that wants to politicize parliament and be partisan in nature.

I am referring to the section of the bill regarding cruelty to animals, the part of the legislation that has made it impossible for us on this side of the House, especially those of us who represent rural agricultural ridings, to support the bill.

The Canadian Cattlemen's Association, the Ontario Federation of Agriculture, the Chicken Farmers of Canada and the Alberta Farm Animal Care Association, to name just a few, have expressed reservations and concerns regarding Bill C-15.

The majority of these groups say that they support the changes made to the cruelty to animal section of the criminal code in the interests of modernizing and increasing penalties to those who would treat the animals with cruelty or undue care. However, as stated by the Alberta Farm Animal Care Association, the bill needs to specifically and clearly articulate the principle that generally

accepted practices in the livestock industry fall outside the intent of the legislation.

What these groups are asking is whether the accepted practices in the cattle and chicken industries, which are generally accepted nationwide, fall outside the legislation.

The Chicken Farmers of Canada, representing close to 5,000 farmers in all provinces and in the Northwest Territories, believes it is necessary to protect animals from cruelty, but that the inadequacies found in Bill C-15 are such that they could bring into question the normal and legitimate uses of animals in agriculture. It believes that in its present form, Bill C-15 could cause some very serious consequences for animal agriculture and that there could be some nuisance charges stemming from the lack of clarity and upfront protection with the bill.

The Canadian Cattlemen's Association, an organization representing over 100,000 cattle producers in Canada, believes that Bill C-15 will create unwarranted exposure to prosecution of members, other livestock producers, hunters, fishers and medical researchers.

These agricultural organizations are asking that the government leave the animal cruelty provisions in the property section of the criminal code or provide the current upfront legal protections of lawful excuse in section 429(2) by removing the definition of animal or modify it to exclude the phrase "or any animal that can experience pain" and retain the words wilful and wilfully as they currently appear in the relevant offences.

These organizations are only asking that minor changes be made to Bill C-15, changes that will assure that ranchers, farmers and other animal owners will not be put at risk. Canadian Alliance members, particularly those of us representing large agricultural areas, will be pushing for those amendments as Bill C-15 proceeds through the justice committee and report stage.

We already have a very fragile agricultural sector. When we look at our agricultural sector today, such as grains and oilseeds, we see that it is weak. Look at the drought conditions, the grasshoppers and all the different things that have created a weakened agricultural climate. Look at what this legislation will bring in. The Canadian Cattlemen's Association has said that this will jeopardize the practices of ranching and farming in Alberta and throughout Canada. Others have said that it will put at risk the ability to be prosecuted for normal practices.

• (1115)

We need to protect an economy that is fragile. We need to protect an agriculture that would be devastated without the cattle industry. We need to defeat the bill.

[*Translation*]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, I am happy to rise today to speak to Bill C-15, which, for many reasons, has not received unanimous support. This is an omnibus bill that deals with subjects having to do with criminal law, but which seem to have nothing to do with each other.

Government Orders

For this reason, on behalf of the Bloc Québécois, I would like to express my support for the motions and proposals presented earlier by our colleagues, to the effect that this bill should have been split.

As far as I am concerned, I would like to speak to the part that will group together current provisions of the criminal code regarding cruelty to animals. This is an extremely important part, which will affect a market and people involved in certain sports, people who are quite concerned about this bill.

The fact that the minister is finally proposing amendments to the criminal code, particularly when it comes to cruelty to animals, is a good thing. It is time, and I believe that people are in favour of such measures. However, this section of the bill is unfair. In our opinion, the minister must give all groups or organizations affected the opportunity to respond.

The part of the bill that addresses cruelty to animals is significant, since a number of studies have clearly demonstrated a marked correlation between cruelty to animals, family violence and violence toward human beings in general. According to some studies, 70% of individuals found guilty of criminal offences had been violent toward animals as children. In all cases, what is involved is an abuse of power over defenceless individuals or animals. Our society cannot condone any abuse of power whatsoever against anyone or anything.

In my opinion, the first step must be to legislate the protection of pet and farm animals. It is estimated that more than 55% of the population owns a domestic animal. More and more, domestic, or pet, animals have come to occupy an important place within Canadian and Quebec homes in recent years. Increasingly, people are adopting animals that become full-fledged members of the family and a source of affection. Seniors are no exception, and increasingly use pets to meet their emotional needs.

This increase in pet ownership, and the fact that they become "people" like any other family member, has generated a huge underground industry worth billions of dollars. Some have made inordinate profits from it. We need only think of the puppy and kitten mills, the dog pounds and attack dog training schools that have generated so many court cases. Lacking any functional legislative and regulatory framework, magistrates end up issuing reprimands with no consequences, and neither the underground industries nor the animal abusers take any heed.

That is why we are in favour of increasing the penalties for individuals or businesses found guilty of animal cruelty. This would be a maximum five-year sentence and a heavier fine.

• (1120)

We would go further still; we would delete the word "maximum" in the phrase "maximum penalty of five years". If we assume that abusing animals is a form of violence, then there is too much at stake. An individual charged with cruelty to animals should be liable to at least five years in jail. Those found guilty of cruelty to animals cannot be given a chance.

I also wish to draw members' attention to the puppy and kitten mills I mentioned earlier, a form of battery husbandry. These are run by undesirable breeders raising poor-quality animals, often the result of inbreeding, with disastrous consequences, and with no respect for the animal's reproductive cycle or health.

This problem has been repeatedly covered in the newspapers and on television. These animals are in distress, beaten, and underweight, because they receive little or no food. Simply put, they are living in extremely unhealthy conditions.

They are kept in cages that do not allow them to lie down; there are dogs and cats whose paws are deformed because the place in which they are growing is inappropriate. Some animals are chained up outside in extreme temperatures. Some are so sick that, when the Humane Society comes to their rescue, it must put them down because they can no longer be saved.

This is unacceptable and it is the reason we are in favour of a tougher piece of legislation, one with more teeth, to address this problem.

There are also some people for whom the legislation causes problems. This sizable segment of the Canadian population includes producers of animals destined for consumption, as well as hunters, fishers and trappers.

Right now, producers of animals destined for consumption are protected under part XI of the previous legislation, which exempts them from prosecution since their occupation is supplying animals for consumption. But part XI was moved in the new legislation and it has been dropped entirely from Bill C-15. They therefore no longer have the immunity they had under the previous legislation. This is an important legal protection which they need and now enjoy, but which they can no longer invoke under Bill C-15; they are no longer exempt.

I think that clause 182.2(1) of the bill has to be reworked and added to. At the moment it reads as follows:

182.2(1) Every one commits an offence who, wilfully or recklessly

At this point we could add: "and without justification or an excuse in law or appearance of right".

These people have a vested interest. They provide food for people. They must not be dragged before the law under Bill C-15 for some hair-brained reason, such as killing animals. We must give these people protection and protect legitimate agricultural activities.

Another category of individuals is also oppressed by this bill. Mr. Speaker, I do not know whether you go hunting or fishing in your rare free moments, but I must say I enjoy these sports a lot. Under Bill C-15, people will be liable to fines and even imprisonment for having wounded or mutilated an animal, be it a night crawler, a worm, a fish, a partridge, a deer or a moose because there are terms and expressions in the bill that are not clear.

Government Orders

● (1125)

Now, the definition of the word animal includes all invertebrates and all vertebrates, be it a partridge, a wild animal or a chicken. They are all in the same boat.

For example, if I wound a partridge while I am hunting and my neighbour finds it, he can take me to court, accusing me of wounding a partridge. At that point, under Bill C-15, I would have to appear in court and would be liable to a fine, even imprisonment. This part of Bill C-15 has to be amended.

There are also some extremely important clauses that provide for the protection of those who hunt with dogs. It is a really agreeable sport enjoyed right across Canada. Over 400,000 hunters hunt with dogs in Canada. These people cannot all be considered as criminals. They have to be protected.

These hunters' dogs are not considered abused. First, a hunting dog is a gentle animal. This type of dog could not be trained to hunt if it were abused. Owners of hunting dogs automatically provide excellent living conditions for their dogs, so that the dogs can be receptive to them and able to do the work asked of them.

Furthermore, hunting dogs help with the protection of wildlife, for the simple reason that if you go hunting, as you have said you do, Mr. Speaker, and you kill a partridge, you will have a hard time finding it in the underbrush, if it is at all dense. However, a hunting dog will be able to find it. The partridge might not be dead. It might be injured, and die later. If I were to leave that partridge in the forest, then I would be showing disrespect for wildlife. In such a case, my hunting dog will retrieve it.

It is important to consider that with Bill C-15, if we do not take this into account, there will be people who will have to give up their sport, and give up protecting certain animals.

● (1130)

SUSPENSION OF SITTING

The Acting Speaker (Mr. Bélair): I apologize for interrupting the honourable member for Terrebonne—Blainville. She has seven minutes to finish her speech, but pursuant to the agreement reached this morning, the sitting is suspended until 1.30 p.m.

(The sitting of the House was suspended at 11.30 p.m.)

The House resumed at 1.31 p.m.

● (1330)

SITTING RESUME

CRIMINAL LAW AMENDMENT ACT, 2001

The House resumed consideration of the motion that Bill C-15, an act to amend the Criminal Code and to amend other acts be now read the second time and referred to a committee, and of the amendment.

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, further to what I was saying at the beginning of my speech, there is agreement that the criminal code needs modernizing, but not at any price.

Bill C-15, particularly the portion relating to animal cruelty, contains amendments we consider an enrichment, indeed a necessary

one, in order to ensure that animals are protected. I have, moreover, referred to this in the first part of my speech.

It does, however, also contain some aberrations that have negative impact, particularly for individuals and businesses raising animals for the purposes of consumption, people whose business this is, whose living this is, and who expect this bill to include the protection they enjoy at the present time under section 11 of the existing criminal code, but which is no longer present in this bill.

Bill C-15 is also prejudicial to the thousands of sports enthusiasts who are liable to be charged because the part relating to animal cruelty contains no exception that would protect them.

We can present a whole set of arguments in support of the absolute necessity for Bill C-15 to be looked at again, amended and reworked.

In Quebec alone, close to 400,000 hunters and one million fishermen will be affected by this bill. These figures demonstrate the heavy economic impact there will be on Quebec. I am certain there are also people in other provinces who hunt and fish, in equal numbers, and there will be economic repercussions there as well.

It is important to remember that in Canada as in Quebec, we have a tradition of hunting and fishing. It is not only native peoples who do so. We do so, and most hunters and fishers are guided by a spirit of wildlife conservation. There are also groups of hunters who use dogs, and this bill affects them considerably.

Quite often, these people assist foundations or provincial wildlife departments in studies to show their respect for wildlife. They are affected, because they will no longer be able to use their hunting dogs. From now on, because of the training, they could be considered to be harassing or mistreating the animals. These people help with animal conservation, because their dogs help them find dead or wounded animals.

Other people use birds, pheasants they raise for hunting. What will they do if they can no longer use them? We need these animals to train the dogs.

The rights and practices of hunting in our society must be taken into account. The provinces do so. They have laws and regulations derived from federal and provincial legislation in hunting matters that contain measures to ban and penalties to do with hunting practices. They are however in contradiction with Bill C-15. The converse is also true. We must be able to alter this bill.

We must be able to amend it significantly, and I am not alone in saying that. I have a document in hand that comes from the law and government division.

Government Orders

• (1335)

This is taken from the Department of Justice website. It is quite clear. It states that we could alleviate the concerns of groups that expect to be affected by this bill. It mentions, in particular, hunters and trappers, who fear that some of their acts may lead to prosecution.

It states quite plainly that the legislation needs to be reworked. It lists exceptions to acts that would be considered criminal. These include not only hunting and trapping. They include:

identification, medical treatment, spaying or neutering; provision of food or other animal products; hunting, trapping, fishing, and other [lawful] sporting activities...; pest, ...control; protection of persons or property; scientific research...; and disciplining or training of an animal.

The opposition parties are not the only ones saying that this bill must absolutely be split, reworked and modified, there is also someone from the federal Department of Justice.

I would like this to be referred to committee, so that it can be studied item by item, in order to come up with legislation that is fair towards everyone and to avoid prosecution and court costs. We cannot tell to what extent our fellow citizens are, or are not, on the same wavelength as us when it comes to the issue of cruelty to animals.

[English]

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, I will be sharing my time with the member for Regina—Lumsden—Lake Centre.

Today we are debating Bill C-15, the omnibus bill involving many amendments to different sections of the criminal code. The sections of the criminal code to be amended are unrelated and cause all kinds of problems for individual members who want to support changes but not others.

An unrelated example is the cruelty to animals section, which is a very major issue of concern to everyone. It is totally unrelated to pornography, the Internet and sexual predation on children. It is also unrelated to the changes proposed to the gun legislation.

I want to emphasize right off the bat that this is totally unfair. It is not right for the government to be bring the omnibus bill forward as members like myself, who represent an agricultural riding and the livestock industry, will be harmed if the legislation goes through.

I would like to point out that the continuous attack on the livestock industry, and agriculture generally, with the proposed regulatory and legislative changes compounds a difficult situation that many farmers find themselves in due to weather, with the drought this year, and low commodity prices. Farmers switch commodities, from grain to cattle and back and forth. The government should allow our farming sector to be secure. The government should allow farmers to have a business plan that will work and one that will not be hindered by poor legislation. The changes to the section in the criminal code dealing with cruelty to animals are doing that.

I am a cattle rancher. Every farmer and every rancher is 100% opposed to any kind of cruelty to any animal. Farmers, ranchers and people who live off the land are going to take more care and be more

concerned than anyone else in Canada when it comes to things like nature and the general environment.

With the variety of opinions today about animal rights among the population, for livestock producers to have a competent business plan that financially works for them, they have to be assured that they will be free from litigation that could be brought against them.

In the case of the cruelty to animals section, we would like an exemption to the definition that animals feel pain. We all know that. However the definition leaves it open for individuals to complain to police and the government and to proceed with private prosecutions because in their opinion branding an animal or putting an ear tag into an animal's ear constitutes cruelty to animals. When this gets to court, the court will consider what the intentions of parliament were.

The way Bill C-15 is now written with regard to the cruelty to animals section, the courts could interpret that branding and ear tags constitute cruelty to animals. The minister has assured us that this is not the case and that it is not the intention of this legislation.

• (1340)

I will not try to refer to other cases in the past where the supreme court went against what I perceived was the intention of parliament. Needless to say that is a distinct possibility. However, the minister has assured us that this is not the case.

The farm groups, myself and the Canadian Alliance are saying that if this is clearly the intention of parliament, what is wrong with retaining cruelty to animals in that area of section 429 of the criminal code? The protection under section 429, which deals with legal justification and colour of right when acting within the scope of normal practices, protects livestock producers. I and the lobby groups I have talked to clearly feel that if that was put in there it would allay virtually every fear that they have with regard to being harassed with allegations of animal cruelty.

That is probably the biggest problem I have with Bill C-15. I say that because I am the chief critic for agriculture. As a result, I am disregarding the other aspects of Bill C-15 to emphasize to the House and to make it clear to any subsequent court that may look at the speeches of today that the intention of parliament is clearly not to extend the definition of cruelty to animals to any farming practice. That is the outcome of this.

The other issue I would quickly like to deal with is the firearms section. I will go back to day one when Kim Campbell, the former Conservative prime minister, started this whole blasted business over the registration of hand guns, which I have supported for a long time. I support the basic idea that people should be checked out before they get a hand gun licence or acquire a firearm. However, the firearms legislation went far beyond what was reasonable and sensible.

Now under Bill C-15, the government is still trying to make it more acceptable and easier. It knows it is a big mess, so it is trying to expedite the acquiring of licences.

Government Orders

In Manitoba and Saskatchewan conservation officers have said they will not enforce any of the provisions of the Firearms Act because obviously it is such a mess that people have not been able to get licences.

That brings me to another point. Manitoba Premier Gary Doer and the NDP said during the last election that they would not use any provincial resources to have the Firearms Act implemented. Now they are using conservation officers, and will be in the future, to check licences. If somebody does not have a licence, I am sure they will lay charges. I wish they would live up to their promise and with more effort try to have the Firearms Act not drain Manitoba tax dollars.

In conclusion, I would emphasize one last time that when the bill goes to committee, the minister has to accept that legal justification under subsection 429(2) of the criminal code should be retained and replaced in any new legislation so that farmers, ranchers, chicken producers and dairy farmers will feel they can continue with their livelihoods and enrich every Canadian.

• (1345)

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, my colleague mentioned a couple of aspects of the bill but one aspect that is of particular interest to me is the portion dealing with the ability of the courts to take away the equipment used in the production and distribution of child pornography upon conviction. That was part of a private member's bill that I introduced in the House. In working with the parliamentary secretary to the justice minister at the time, we were able to convince the government that it was an important aspect of the criminal code that was missing and needed to be amended. I appreciate the government putting it in this bill.

However, instead of having a bill to deal with the whole issue of child pornography and the availability of the awful material on the Internet, even though it is an important enough issue to stand on its own, the government has included it in an omnibus bill with issues such as disarming a police officer and cruelty to animals. I believe this is wrong.

We should be able to debate this particular issue of child pornography on its own. It is important enough that we should do that. We have repeatedly asked the House leader to separate the bill so we can deal with the separate areas but that has failed to happen. I may be in the very uncomfortable position, when this bill does come to the House, of having to vote against it, even though the part that I lobbied for and promoted is in the bill, because of the way it is structured. We still maintain that the government should split the bill apart.

Could my colleague give us his comments on why the government is unable to split the bill, which deals with such a wide array of justice issues, so that each individual issue can be dealt with separately?

• (1350)

Mr. Howard Hilstrom: Mr. Speaker, that is precisely the problem. I am sure there are many government members in the backbenches that would also like to have this bill split apart but who know that is not possible because of the whipped vote that will no doubt happen on this.

When bad legislation comes forward in the House, such as some but not all portions of Bill C-15, no member should ever vote for an omnibus bill that includes changes that are 100% opposable, in this case the animal cruelty provision by every farm organization in the country, including the dairy farmers of Canada. The dairy farmers of Canada of course milk cows. Anyone who alleges any kind of cruelty there is way out to lunch, even though I know they have.

I agree that the legislation has to be split into individual votable issues that are unrelated so that the true feeling of parliament is known and constituents are fully and properly represented.

Unfortunately, when there are some good and some bad issues because the government has lumped the issues all together, it leaves us no choice but to throw it all out and then, hopefully in years to come, it will come back with separate legislation for each issue. It should let the Canadian public have a say on each issue as opposed to forcing us to vote for something that is bad and dead wrong.

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, I think my hon. colleague has raised some very significant points. I also want to refer to the comments that my colleague for Lethbridge made just a moment ago.

Both of these gentlemen have indicated clearly what it is that happens when one puts together an omnibus bill that covers virtually a whole myriad of things, some of which in their essence are somewhat contradictory. How can we deal with honesty and integrity when certain aspects and provisions of the pornography legislation and cruelty to animals suggest that dealing with child pornography and dealing with cruelty to animals are similar issues? Have we reduced children to animals or lifted animals to the level of children? That sounds stupid when we put it into one sentence like that but it makes us think that surely that cannot be the way it is. However the way the legislation is put together we must ask ourselves if that is really the way the government thinks, that in fact we have to do it on that kind of basis.

Surely the point can be made that these are issues that are separate and should be kept separate and that legislation governing those things should be kept separate from other legislation so that we are able to deal with each of these issues on the basis of integrity, honesty and with decent debate.

Would the hon. member please comment?

Mr. Howard Hilstrom: Mr. Speaker, clearly there is unequivocally a hidden agenda being promoted by the Liberal government and I will tell the House exactly what that hidden agenda is.

The hidden agenda is the lobby effort that has been put forward by the anti-meat people, the anti-livestock raising people and the animal rights people as an overall umbrella group with the ultimate aim of getting rid of all hunting, all firearms and all livestock production.

What had better be recognized is that animals are part of the food chain of nature and we also are a part of that chain. We as humans will continue to use animals for food.

S. O. 31

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, the omnibus bill raises a number of questions. It raises questions in my own riding of Regina—Lumsden—Lake Centre because people cannot imagine why we would combine such a wide diversity of topics into one bill and why that would have to be.

What is the purpose of Bill C-15? We have heard mention of hidden agendas and that sort of thing, but what really is the purpose of Bill C-15? It is said that the purpose of Bill C-15 is to amend the criminal code and the criminal law in certain ways.

I looked at the ways we are suggesting to amend it and some amendments intend to protect children from sexual predators, especially on the Internet; some deal with criminal harassment; some deal with aggravated home invasions; some deal with disarming of police officers; some revise the process of going to the Minister of Justice for miscarriages of justice; and some reform the process for preliminary inquiries and that process within the judicial system. Those relate to people.

Then all of a sudden I am reminded that there is also something to increase the maximum penalty for cruelty to animals which of course there is no problem with except for the lack of some of the clarification we have mentioned.

Then we come to the section about guns. We have gone from people to animals and now to guns. This again just further helps the administration to pass awful legislation that has not been successful and is not working properly, is not being enforced and is not being obeyed. We need to admit that.

It then moves to include other acts.

What is the real purpose of Bill C-15? Is it for the protection of our children? Certainly the bill does offer some protection from sexual exploitation, especially over the Internet, and it increases the penalties. We applaud and appreciate that. It is a good part of the bill and we offer our full support. Let me remind the House that except for the stubbornness of the minister and the government, that provision could have been law months ago and they chose not to allow that to happen.

Perhaps the bill was proposed for the protection of animals? The bill offers protection for animals but it is unreasonable to elevate their protection to the same level as people. The legislation makes it possible for one to be convicted of abusing animals in the same way one would be convicted of abusing a person.

I support the legislation to protect against the abuse of animals, but this legislation imposes serious ramifications regarding animal agriculture.

STATEMENTS BY MEMBERS

● (1355)
[English]

TERRORISM

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, Tuesday, September 11 will be remembered as a day in which events

shook the world, or as Graham Green wrote, “one of those profound moments in time when the door to the future opens and we experience the terror of our own inability to shape our destiny as a model for civilized society”.

That Tuesday morning the excited sounds of children anticipating the beginning of their school day resonated throughout communities across our country. Just a few hours later their joy was replaced with a solemn and frightening hush.

During these confounding and terrifying times, leadership is emerging in all our communities that is deliberate, compassionate and just. Symbolic of this is the role played by the inter-faith community in York South—Weston and across this land.

For our part, as members of parliament, we must remain focused and resolute in support of these and all other community based efforts whose sole objective is to nurture our democratic society and respect for human rights, which surely forms part of our strongest defence against terrorism.

* * *

AIRLINE INDUSTRY

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, the attack of Tuesday, September 11 had a profound effect on the airline industry: the closure of North American skies for two days, the diversion of hundreds of aircraft and the re-routing of thousands of passengers from coast to coast on airlines. For this reason, compensation for affected airlines might be appropriate.

That being said, Air Canada's request for \$3 billion to \$4 billion of taxpayer money is outrageous. It would amount to roughly 30% of this year's proposed defence budget, this in a year in which the need for more defence dollars to fight terrorism is a must.

Before Air Canada asks for yet more taxpayer money, it will have to demonstrate that this fall's air traffic is much lower than similar times in past years. Canadians are not willing to consider a bailout of a semi-monopoly carrier, especially when management decisions could solve the vast majority of Air Canada's problems.

Mr. Milton, in this time of a national emergency when our armed forces and security needs must be our highest priority, it is outrageous to ask taxpayers to finance corporate welfare ahead of national security.

* * *

● (1400)

[Translation]

PAN-AMERICAN TAEKWONDO CHAMPIONSHIPS

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, the consequences of last week's tragic events are huge and they require us to do some serious thinking. These attacks have shaken and even changed our daily lives.

The situation that has been affecting us since these events is of an international, national, regional and even individual magnitude.

S. O. 31

On August 4 and 5, eight athletes from the Tae Kwon Do club of the Thetford Mines region, in Quebec, won four gold and three bronze medals at the Canadian junior championships held in Toronto.

Marie-Christine, Élizabeth, David and Marie-Ève, our four gold medal winners and Canadian champions, were scheduled to travel to Chile this week to enter the Pan-American Taekwondo Championships.

It goes without saying that because the whole world has been standing still for over a week now, they had to cancel their participation in this competition.

They are very disappointed, but given that their sport is based on the respect of oneself and one's opponent, our young athletes were able to find comfort in the show of humanitarian assistance, the spirit of co-operation of Canadians, which we are all witnessing in these difficult times.

* * *

[*English*]**DISCRIMINATION**

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, Islam is one of the world's religions practised by many people both here in Canada and around the globe. Islam promotes peace and does not support terrorism.

In our words and actions we must ensure that our Muslim friends and neighbours are not targeted or threatened by the ignorance of those who do not make the fundamental distinction between actions of a minority of terrorists and a faith community. Events of recent weeks left no one unaffected.

Let us make sure that in our actions and words we in Canada recognize and hold precious our freedom of expression, freedom of religion and freedom of the person. We cannot compound either intentionally or thoughtlessly the hurt and anguish that we all feel. Let us not forget that Muslims were also among the victims of this senseless act of violence.

As Canadians we find strength in our diversity and in the richness of our cultures. Together we are stronger.

* * *

TERRORISM

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, on behalf of my constituents and family, I want to express my heartfelt sympathies to those who have lost loved ones in last week's tragic events and of course to express our gratitude to the brave emergency personnel and volunteers who have been working in New York and Washington for countless hours. Without them we would not even have a glimpse of hope. Let us then use them as an example of how individuals from different cultures and religious backgrounds can come together as one and help each other in such difficult moments.

The picture of September 11, 2001 will remain with us forever. We thank God for what we have and what we can do. As horrible as this cowardly act has been, we must remind ourselves of the goodness that exists in people everywhere and not to be cynical

against innocent, law-abiding citizens who are just as much victims of this devastating tragedy.

As Canadians, neighbours and members of the global community of peace, we must stand firmly side by side and fight this barbaric cowardly act, an act which has struck at the heart of our freedom and our democratic principles.

* * *

JEWISH NEW YEAR

Mr. Peter Goldring (Edmonton Centre-East, Canadian Alliance): Mr. Speaker, each year at this time the arrival of the Jewish new year is welcomed. This time of reflection and renewal, starting with Rosh Hashanah and ending with Yom Kippur, is the most significant period of the Jewish calendar.

To all the Jewish faith and their families nationally and internationally, these are important personal days, a time for reflection and resolve. Perhaps more than ever this year, in the aftermath of the tragic events in America, we should recall too that Israel singularly has been at constant war against the evil of terrorism for many years.

I ask the members of the House to recognize and embrace the Jewish spirit of reflection and annual renewal. I am sure the upcoming year will be bettered by such resolve.

* * *

TERRORISM

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, on behalf of the constituents of Lambton—Kent—Middlesex and my family, I express sincere condolences to the victims and their families in the United States and Canada who have been affected by the tragic events that took place in the United States. Our thoughts and our prayers are with the American people as they deal with this tragedy and work to rebuild not only their city but their lives.

September 11, 2001, is a day we will never forget. The rippling effects will continue for years to come. This has been a difficult time for everyone and we must grow from this experience.

The attack was not just an attack on the United States. It was an attack on Canada and other civilized countries throughout the world. We therefore must work together with other countries in the fight against terrorism.

I also recognize the efforts of thousands of firefighters, police officers, rescue workers, ambulance attendants, and volunteers from both Canada and the United States that have been working around the clock in the search for victims.

Although we may never again feel invincible, invulnerable or impenetrable, the hope for a secure future is not gone.

•(1405)

[Translation]

HUMAN CLONING

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, throughout the summer, the issue of human cloning has been very much in the news. Voices were heard from everywhere asking to put an end to the unjustifiable legal void in this area.

Canadians are aware of the complexity of this issue and they want legislation that will cover all the scientific research in the area of assisted human reproduction.

However, they also want to be reassured, because they do not want to see aspirant cloners take refuge here to implement their morally, medically and socially unacceptable project.

This is why we must legislate as quickly as possible, because to prohibit human cloning for reproduction purposes is to protect the integrity of future generations and the dignity of childbirth.

* * *

[English]

TERRORISM

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, although Canadians are deeply saddened by the events that took place in the United States on September 11, we have united to aid Americans in coping with this disaster. On behalf of the residents of my riding of Oak Ridges I express our gratitude to all Canadians who have opened their hearts and contributed to the relief effort.

I am pleased to inform the House that AMEC Construction Management Inc., a New York division of Toronto based AMEC Inc., has been retained to provide support in the cleanup effort both at the Pentagon in Washington and in New York. AMEC has delivered heavy equipment and lifting gear to support emergency services in the rescue efforts.

Specialists from AMEC are advising and assisting rescuers with the considerable challenges in developing long term plans. AMEC is one of the exceptional Canadian companies that has devoted time, skills and expertise in helping our American friends during this unfortunate tragedy.

* * *

IMMIGRATION

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, U.S. Secretary of State Colin Powell issued a warning about the cost to Canada of doing little to fix our notoriously faulty people screening system.

Powell warned:

Some nations need to be more vigilant against terrorism at their borders, if they want their relationship with the U.S. to remain the same. We're going to make it clear to them that this will be a standard against which they're measured, with respect to their relationship with the United States.

The immigration minister tried yesterday to give reassurances about some money for better service worldwide, but it must be asked specifically: What better screening is in place today for the surprise arrivals who claim refugee status than there was a few weeks ago?

S. O. 31

There are thousands of claimants of unknown background wandering the country and many are possible security risks.

I call upon the immigration minister to say how this security gap has been solved and how the government has heeded the warning of the U.S. secretary of state.

* * *

DAVID MICHAEL BARKWAY

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Mr. Speaker, on behalf of the constituents of Stormont—Dundas—Charlottenburgh who share an international border and a way of life with our neighbour, the United States, I express our condolences and offer our prayers to the families, friends and co-workers of the innocent victims of the tragic events of September 11, 2001.

The terrorist attacks on New York City particularly hit home for us with the death of 34 year old David Michael Barkway, formerly of Cornwall and a managing director at BMO Nesbitt Burns. David was a wonderful person, devoted to his family, friends and work. He was also partial to a good cigar, a cold Guinness and a round of golf. He will be missed by everyone who knew him.

To David's wife Cindy, their two year old son James, his parents Reverend Peter and Mary Barkway of Cornwall, his brother Stephen, his in-laws Ned and Georgina McLennan of Brampton, and their extended families, my sincere condolences. No words can adequately express the sorrow shared by all of us as a result of this unjustifiable act against humankind.

* * *

•(1410)

FISHERIES

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I rise in the House to express my deep disappointment and frustration with a small group of fishermen who fired 30 shots into the fishing grounds off Burnt Church earlier this week.

It is important to emphasize that the group does not represent the majority of hard working and law-abiding fishermen in the Miramichi area. I commend the leadership of the non-native commercial fishery and that of the aboriginal community for exercising restraint given the events of this week. I encourage them to continue to show restraint.

I also call upon all sides to work together toward a peaceful solution to the ongoing crisis within the fishery. That means that the government must create an environment where fair and peaceful settlements are possible.

The Minister of Fisheries and Oceans must personally get involved with all stakeholders and other ministers and, if necessary, re-examine the existing quota allocations and management practices.

S. O. 31

The Mounties were not able to prevent this week's raid. Nor have any arrests been made. In order to create an environment where peaceful settlements are possible, the government must commit the needed resources to enforcement.

I call for the minister to get personally involved because in Burnt Church nobody should die over lobsters.

* * *

[Translation]

FISHERIES

Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ): Mr. Speaker, today marked the opening in Toronto of the meeting of the Canadian Council of Ministers of Fisheries and Aquaculture.

Quebec's minister of agriculture, fisheries and food plans to use the occasion to remind the federal Minister of Fisheries and Oceans of a few principles, one of them being that intergovernmental agreements between responsible governments must not be ignored, as they were when the Minister of Fisheries and Oceans made his recent decision to give 18% of the turbot quota to fishers in Newfoundland, when historically their share had never exceeded 8%.

In 1995, the department established a share which, it said, was temporary. Since then, Quebec's share represents a loss of 2,000 tonnes of turbot, worth \$6 million post plant, and at least 100 seasonal jobs.

The Bloc Quebecois is calling for mechanisms to manage the fisheries that will limit political influence and the discretionary power of the minister so that management of the fishery is more transparent, fairer and more consistent.

* * *

ALZHEIMER'S DISEASE

Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.): Mr. Speaker, Alzheimer's is a neurological disorder that gradually leaves the brain unable to reason, to remember, to imagine or to learn.

It affects one Canadian in thirteen over the age of 65. However, a recent world breakthrough made possible through funding from Canada's health research institutes, the primary federal health research body in Canada, is renewing hope in the fight to vanquish this disease.

Recently, Dr. Peter St. George-Hyslop and his team at the University of Toronto Centre for Research in Neurodegenerative Diseases discovered a vaccine which may help to prevent and treat memory loss and the disabling cognitive impairment of Alzheimer's disease.

If the results of their laboratory studies can be verified in human subjects, the vaccine could play a vital role in eradicating the disabling dementia associated with this disease.

The next stage will consist of preliminary studies to verify the safety of the vaccine before large scale testing to determine its therapeutic effectiveness is begun.

The researchers believe that clinical testing on human subjects could begin this year and, if it is conclusive, that a drug could be available within four years.

By investing in research today, Canadians will reap the benefits in the future.

* * *

[English]

IMMIGRATION

Mr. Inky Mark (Dauphin—Swan River, PC/DR): Mr. Speaker, Lucy Lu has been hiding in a basement of a church in Kingston since last November fearing deportation by the Minister of Citizenship and Immigration. To date the minister has refused to even hear what Ms. Lu has to say in her defence.

Lucy Lu is not asking for anything that is impossible of the Minister of Citizenship and Immigration. She is seeking a stay of deportation on humanitarian and compassionate grounds with full community support.

Terrorist Ahmed Ressam was ordered out of the country and no one even bothered to look for him for two years. Lucy Lu is in plain sight and she cannot get anyone from the Department of Citizenship and Immigration to even call her. Just how big a threat could Lucy Lu be to the Canadian public?

* * *

HARVEST JAZZ AND BLUES FESTIVAL

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, I rise to pay tribute to the organizers and entertainers of the 11th Harvest Jazz and Blues Festival which took place in Fredericton from September 12 to 16. This year's event, which had over 50,000 people in attendance, was a true test of the festival's strength due to the tragic events in the United States.

After considerable contemplation the festival went forward with taste, respect, and provided a much needed diversion in our community during a time of pain, shock and horror.

This speaks to the quality of leadership in the organization, the flexibility of the volunteers and the generosity of the entertainers, many having pulled double duty due to the fact that other groups could not fly into Fredericton.

I thank them on behalf of the people of Fredericton who found some normalcy in a world we did not recognize.

* * *

● (1415)

AGRICULTURE

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, it costs a farmer out in our country about \$4,800 to dig a water dugout for his cattle. Normally he could apply for and receive one-third of that, or \$1,600, from the government through the PFRA, but like the drought that money has dried up.

While the government said it had no money, it found \$4 million and handed it out to NGOs to attend a racist conference in Durban. How did Canada benefit from our own taxpayers' dollars? We got insulted by being labelled racists.

That \$4 million would have supported the construction of 2,500 dugouts in the parched regions of Canada. The government has stopped the flow of money in the heart of cattle country, where the water supply is imperative.

The government will not help to ensure that we have enough water for next year, yet it seems that it has found money to fund its own grandiose schemes in conferences with questionable benefits to Canadians.

ORAL QUESTION PERIOD

[English]

TERRORISM

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, recently the FBI, incredibly, has arrested one of its prime suspects in the whole issue surrounding the bombing of the World Trade Center and the Pentagon bombing. His name is Nabil Al-Marabh. He has been linked by the FBI to two of the hijackers. He shared a phone number with them. He was identified as a bin Laden operative at a trial in Jordan.

This morning, incredibly, we have learned that Al-Marabh has been a refugee claimant in Canada since 1994 and was living in Toronto as recently as six weeks ago.

Does the Prime Minister still maintain that there is no Canadian connection in the U.S. investigation of this terrible activity?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I am aware that an individual who was in Canada for a period of time was arrested by U.S. authorities. This is an ongoing investigation. At this time there is still no evidence of a direct link between Canada and what took place in New York.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, they are really pushing credibility. Canadians have some serious questions.

The RCMP last Thursday issued a Canada wide arrest warrant for this suspected terrorist, Al-Marabh, who is suspected of being involved in the World Trade Center bombings. This was last Thursday. They issued a Canada wide arrest warrant on the same day that the Prime Minister, the solicitor general and the head of the RCMP were maintaining that there was no Canadian connection.

Who is in charge of security on behalf of Canadians and on the government side? Who is in charge over there?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I have said many times in the House that the RCMP and CSIS are working with the FBI and the security and intelligence agencies in the U.S. They have been and will continue to do so.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, no answers, no answers on this serious

Oral Questions

matter. We are asking for results. We are asking for openness and honesty on behalf of the government so that we can have a sense of security.

This suspected terrorist had been accused of forging a passport here in Canada at the same time that he was demanding refugee status.

Why was he not either arrested immediately or deported instead of being able to roam free all around Toronto and who knows where else in Canada? Why was there a six week gap in terms of even identifying this?

I will ask the question again—

The Speaker: I am afraid the hon. member has run out of time.

• (1420)

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I am sure my hon. colleague does not expect that all the security intelligence information will be shared publicly. I have said many times that what has to take place is the RCMP and CSIS working with the security and intelligence agencies and the police forces in the United States to make sure the people responsible are brought to justice.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the FBI is currently seeking some 200 suspects, potential associates of suspects and potential witnesses in connection with the World Trade Center and Pentagon attacks. We know that at least one of them, Nabil Al-Marabh, was a refugee claimant in Canada.

Do the RCMP and CSIS have this list of 200 wanted people and how many others on that list have they identified as having been here in Canada?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as the Prime Minister stated the other day and I have stated a number of times, does the opposition expect the government to give out security intelligence information?

What we want to do is make sure that the people responsible for what took place in New York and Washington are brought to justice. The RCMP and CSIS are working with their counterparts to make sure that happens.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, what the Canadian public wants to know is that CSIS and the RCMP have the list of 200. It is unfortunate that this suspected terrorist was arrested in Chicago and not in Canada.

Yesterday the minister told the House that she does not need to seek the permission of the court to extradite terrorists. In fact she must ask the court's permission and meet the rigorous test dictated by the Supreme Court.

Will the minister now correct the record and finally admit that it is the court, not she and our justice officials, that can decide whether a terrorist can be extradited?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. Minister of Justice answered this question very clearly yesterday. This matter is now before the courts. I do not think we should say anything further about it.

Oral Questions

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, during Oral Question Period yesterday, the Prime Minister stated that Canada had had absolutely no request from the United States relating to Canada's military participation in the battle against terrorism that is about to begin. Fifty minutes after that, the United States launched Operation Infinite Justice.

In light of the Prime Minister's statements, could the government tell the public whether Canada was consulted by the United States before Operation Infinite Justice was initiated?

[English]

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, pre-positioning military assets and personnel is not an unusual thing to do. There are many other times when this has been done by the United States, the biggest military power in the world. It has done this again. At the same time, it is clearly sending a message to countries that harbour terrorists. It is putting them under some pressure by pre-positioning these assets, but it is still working on the plan. We will be consulted with respect to that plan and what our contribution will be to that plan.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, what the minister has just said is that Canada was not consulted. That is a clear answer. Operation Infinite Justice is a military operation that has been launched, as the minister has just said, unilaterally by the United States.

Yesterday, however, the Prime Minister said the following "it would be very worthwhile to get the UN involved in this debate", NATO as well I would imagine, because NATO was referred to a little earlier this week.

When the Prime Minister meets with President Bush, will he be promoting patience, wisdom and consultation I would add, calling for the need for a broad international coalition in support of any response to the terrorists?

[English]

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, it is not normal for a country when it wants to pre-position its military assets to consult other countries. This has not been done with any other country in this case or in past cases. This is not a decision by the United States to actually use them in a forceful way; this in fact is a forward positioning of its assets and personnel.

In terms of the kind of tone in the meeting that will go on between the Prime Minister and the president, I think the Prime Minister has made it quite clear that all of those become aspects of the conversation that he will have.

• (1425)

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Americans' impatience to act is increasingly apparent with the launch of Operation Infinite Justice.

Since American action could have some very serious consequences for Canadian and Quebec military personnel, can the

Minister of National Defence tell us now whether he has received a formal request for military involvement from the United States?

[English]

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, there has been no specific request from the United States to Canada or to any of the other allies. The United States is still in a planning stage to determine how this campaign against terrorism should in fact be handled. As it comes through that planning stage, it will be consulting with us. It will be consulting with other allies. It is trying to build a coalition.

It is not just a question of the use of the military. There are diplomatic means, economic means and many other ways in which this campaign against terrorism will be carried out, hopefully with a minimal amount of use of military assets of the United States or of any other kind.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, given the speed of American action at the moment, what guarantee does the government have that its approach based on wisdom and patience will prevail and will have any merit, since, according to the Minister of National Defence, consultation is not necessary at this point?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I can tell the House that, as concerns our consultations with the United States and with other allies, I have just spoken to the ministers of foreign affairs of a number of European and other countries, who all noted the fact that the United States has carefully built an alliance with governments around the world and properly consulted them. In fact, all allies wanted this consultation. Up to now, we are quite satisfied.

* * *

[English]

FOREIGN AFFAIRS

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Minister of Foreign Affairs. Certainly the deployment of American forces in the last day or so, or the pre-positioning of American military assets, as the Minister of National Defence has called it, certainly raises the question or the anxiety that the die may well be cast before the Prime Minister gets to meet with President Bush.

I want to ask the Minister of Foreign Affairs, is there any contingency plan for making sure that the Prime Minister has an opportunity to fully communicate Canada's views before any American action proceeds?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, as the hon. member knows there have been a number of telephone conversations already between the Prime Minister and the president. I have spoken with the secretary of state.

My colleagues in many cases have spoken with their counterparts. As I was saying a moment ago in French, all of our other allies, European and others, have likewise been in Washington or speaking to Washington by telephone.

Oral Questions

It has been an extensive consultation. It is one that I think speaks well of the United States' desire to act in a multilateral way in this matter, which is something the NDP has been calling for.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, also for the Minister of Foreign Affairs, the minister will know that Canadians in Pakistan have been told that it would be in their best interests to leave that country.

What is the Canadian government doing to assist Canadians in that difficult situation to make sure that they can exit Pakistan and return home?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, we have indicated to Canadians in Pakistan that it would be advisable for them to leave while commercial opportunities to do so are available. They still exist.

In addition, we are co-operating with the United Kingdom, Australia and the United States to co-ordinate facilities if necessary to evacuate other Canadian citizens if that becomes something that we need to do.

* * *

HOUSE OF COMMONS

Mr. Chuck Strahl (Fraser Valley, PC/DR): Mr. Speaker, there are negotiations among House leaders to extend the sitting of the House tonight specifically to debate the Prime Minister's visit to Washington.

While Canadians look forward to this debate, it will be meaningful only if the Prime Minister participates fully and outlines Canada's position to parliament and details what he is prepared to offer President Bush in next week's meeting.

Will the Prime Minister give the commitment today that he will come to the House during this evening's debate and detail fully what Canada is prepared to offer to the president of the United States?

• (1430)

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, first of all I want to congratulate those members who requested that such a debate take place, more particularly the opposition House leader who asked that we have such a debate this evening.

I am able to confirm that—

Right Hon. Joe Clark: Will the Prime Minister be here?

Hon. Don Boudria: Mr. Speaker, I thought this was an important issue. Members on this side of the House are willing to have such a debate this evening and the government and government members will participate if we obtain an agreement as to the form of the debate and of course all House leaders of recognized political parties have a copy of it.

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, we presume the Prime Minister is on the telephone, meeting with his cabinet.

Canadians want to support a common action against terrorism, but parliament has a right to know what terrorist cells operate—

Some hon. members: Oh, Oh.

The Speaker: Order, please. The Chair cannot possibly hear what the right hon. member has to say and there is always the risk that he could say something out of order which the Chair has to be able to hear. I would invite hon. members to perhaps show a little restraint while we listen to the question from the right hon. gentleman.

Right Hon. Joe Clark: Thank you, Mr. Speaker. Parliament has a right to know what terrorist cells operate in our country. The Prime Minister has given confusing answers. My question is for the acting prime minister, knowing of course that some of that information must be kept confidential for security reasons. Would the acting prime minister agree to authorize an immediate briefing tonight or tomorrow to the parliamentary committee which studies national security to give clear and reliable information about what terrorist cells operate in Canada and what threat they constitute?

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, my colleague the solicitor general has enunciated a fundamental parliamentary principle. I am surprised that the hon. member for Calgary Centre, a former prime minister of this country, does not understand that in times of crisis intelligence gathering is something that must be kept very, very secure for obvious reasons. It is in the national interest.

* * *

TERRORISM

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, Sun Media is reporting that last Tuesday, the same day that four planes in the United States were hijacked with knives and box cutters, an aircraft originating from Toronto's Pearson airport heading to Newark, New Jersey, the region where the terrorist attacks took place, was diverted back to Pearson airport because knives and box cutters were found on the plane by the flight crew.

Can the government confirm this, and if so, how can the government still deny that there was a Canadian connection with last week's terrible events?

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, last week we were faced with an enormous crisis where these buildings were destroyed in a matter of seconds, where air space was closed. I would ask the hon. member to ascertain the facts before he comes to the House and alarms people, because every security precaution was taken as soon as this became known.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, in April of this year on a flight from Yellowknife to Vancouver, Leslie Chester, during a drinking binge, managed to get through airport security and onto a plane with two submachine guns and several boxes of ammunition that he tossed into a duffel bag. That is airport security. When one in five airport security checks fail and submachine guns can be smuggled onto planes it is clear that airline security has fallen short of what Canadians expect.

With this reality how can the transport minister reject implementing new security changes permanently, including the use of air marshals, which Canadians desperately want?

Oral Questions

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, I have said consistently over the last week that every single aspect of aviation security, whether it is on the planes, whether it is at the airports, whether it is on the air side, is under review and we will take every measure to protect the travelling public. In fact this afternoon I am meeting with the industry to discuss these and other matters.

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• (1435)

[Translation]

NATIONAL DEFENCE

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, earlier, in my first question, I asked the government whether Canada had been consulted before the launching of Operation Infinite Justice.

The Minister of National Defence is saying “No, we were not consulted”, while the Minister of Foreign Affairs assures us that the Canadian government was indeed consulted.

Could the two ministers consult each other and tell us whether Canada was consulted or not before the launching of that operation?

[English]

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I think the Minister of Foreign Affairs has quite clearly and properly outlined that there is a considerable amount of consultation.

What I was asked, though, by the hon. member was not in that general context. I was asked about the specifics of the positioning of the military assets and personnel, to which I answered that it is the normal function they carry out and they have carried it out on many other occasions. They do not consult with everyone before they do that.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, since the Minister of Foreign Affairs seems satisfied with the consultations, I have a question for him.

The launching of an operation as important as Infinite Justice is no small affair. How can the minister be pleased with the consultations, given the magnitude of such an operation and the fact that, as we all know, if a military request is made to Canada and our allies, it will be based on the operation that was launched? Is the minister pleased with that?

Is the government satisfied with the consultations that it may or may not have had, according to the Minister of National Defence, with the United States?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, this is not exactly the problem with the situation. If we are asked to participate, the decision is up to us. What we are dealing with here is not action taken by the United States that involves the participation of Canadians.

In the context of the building of an alliance between states, not only through NATO but elsewhere, I believe the consultation process was more than adequate.

[English]

SOCIAL INSURANCE NUMBERS

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, last November a Canadian company met with HRDC officials to discuss new software for social insurance numbers. Department officials said the software has the capability of eliminating the most common forms of identity fraud but the department rejected the software. Why would the minister reject a piece of software that would deny terrorists false identities?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the government is committed to protecting the integrity of the social insurance number program. I would note that the auditor general said that after our 1998 audit, the government took several measures to improve the management of the social insurance number program. We have increased the resources that are specifically dedicated to protecting the SIN from abuse and employees are trained to investigate and detect suspicious SIN applications.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, even though her department said the software is less expensive and intrusive than other proposed security solutions, her bureaucrats said about the company “they should be put off”.

The minister had the opportunity to end the flagrant abuse of social insurance numbers that the auditor general criticized in 1998. Why did the minister jeopardize the security of Canadians in this way?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I reject the accusations of the member.

I reiterate that the auditor general has said that we have taken appropriate action. The member would be interested to know of some of the other undertakings of the department. Ultraviolet lamps are used to detect false identification documents. Intervention measures to scrutinize SIN applications are used to prevent fraud. Over five million SINs have been flagged or cancelled to prevent fraud. Public awareness is part of this system.

The House can rest assured that we have a program in place to ensure the integrity of social insurance numbers.

* * *

[Translation]

NATIONAL DEFENCE

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, before Canada decides whether or not to take part militarily in Operation Infinite Justice, or in any other military operation, the House of Commons will have to successfully conclude “Operation True Democracy”.

In the name of democracy, will the government guarantee the House that a vote will be held in the House before any decision is taken as to whether or not to send soldiers into any sort of military operation?

Oral Questions

•(1440)

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the leader of the party knows perfectly well that, in any situation where troops have been deployed in the past, the House was consulted.

Furthermore, this time, even without any troop deployment, there has already been a day of consultation with the House on Monday. A request has been laid upon the table by an opposition party for a debate this evening, and I can assure the House that, should troop deployment be a possibility, there will of course be a debate in the House, as usual.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, at the start of the week, I congratulated the government on its attitude. However, there is one point on which we do not agree.

When the government tells us that there is consultation, that consultation took a different form in 1991 when it was in opposition and demanded a vote. There was a vote before Operation Desert Storm, at the request of the Liberal Party, which was then in opposition.

In the case of Kosovo, this same party, now in power, refused to hold a vote in the House.

This time, in the name of democracy, and in order to strengthen the Prime Minister's position in his discussions with his allies and with President Bush, I ask that a vote be held, as was done before the gulf war, at the request of this same party and this same leader.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, before this government came to power, no procedure even existed. It was this government which established a procedure for consulting the House. We were the ones who observed it each time and now we even want to amend the standing orders in order to improve them. In fact, this was the purpose of the debate which would normally have been held yesterday in the House.

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[English]

NATIONAL SECURITY

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, yesterday the Prime Minister told the House that when there is a need for a meeting of his special national security committee, which has not met in over a year by the way, either he or the Deputy Prime Minister would preside over the meeting.

In April of this year the Summit of the Americas in Quebec had a significant impact on our national security. Would the solicitor general tell us why the Prime Minister or his deputy did not convene a meeting of his special national security committee?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I think it is obvious. With what happened in Quebec and how our security intelligence agency, the provincial and municipal police and the RCMP handled the situation is good evidence of how safe and secure this country is.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Would everybody listen to the answers from this fellow? Mr. Speaker, I am talking about the national security committee,

remember, the one that was established some time ago which has not met.

On September 11 terrorists attacked New York and Washington. Neither the Prime Minister nor the Deputy Prime Minister convened a meeting of the special national security committee. Yesterday the Prime Minister said, "When there is a need for this committee to meet, it will be done".

I ask the solicitor general once again, what does it take to convene a meeting of the national security committee?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, first of all, the hon. member should know that during the crisis last week, we did not wonder about having meetings and procedures. We went into action. Lives had been lost. Air space had been violated. Terrorism was rampant. The Prime Minister worked with the line ministers and with the officials of the various departments to put in place very effective and immediate measures to deal with the crisis.

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ZIMBABWE

Hon. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the tragic occurrence in the United States has seized us all and rightfully so. But two weeks ago, Canada participated in a meeting in Nigeria. The focus was on the situation in Zimbabwe. We were all concerned about commercial farming and its impact on the Zimbabwean people.

Could the Secretary of State for Latin America and Africa apprise us of the results of that meeting?

•(1445)

Hon. David Kilgour (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, Canada took the strongest stand at that meeting, that the issue of land could not be separated from human rights, democratic principles and the rule of law. The government of Zimbabwe assured us that there would be no further occupations of land, that the rule of law would be respected and that violence and intimidation would cease.

We are monitoring very carefully what the government of Zimbabwe is doing to fulfill those pledges.

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THE ECONOMY

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the Minister of Finance.

Last week's tragedy in the United States has thrown many of the economic assumptions of the government out the window.

President Bush has come out with a major package in the United States to stimulate the economy and to try to ease up on the coming recession in that country.

Has the Minister of Finance had a chance to consult with Canadian union and business leaders about the kind of emergency package we need to stimulate the economy, to save jobs and to deal with the crisis we are now facing, or do we have to wait until the budget which is expected next February?

Oral Questions

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member will know that a substantial portion of that package in the U.S. is for the reconstruction of downtown Manhattan and the Pentagon as a result of the terrible tragedy that occurred. That is where that money is going.

In terms of the date of the next budget, we have not foreclosed any options, but at the present time we are obviously waiting for a fair amount of substantial input, such as the cost of the tremendous fight against terrorism. It is going to be an international effort and there is a cost that is going to occur here. These are the priorities and they are all very important input to any budget.

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TERRORISM

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, last week's tragic events should serve as a warning about the lack of a national emergency plan in other areas of terrorist attacks, particularly bioterrorism. We know that reports from CSIS, Health Canada, and the Department of National Defence more recently show that Canada is just not ready to cope with such a threat. First responders, in particular, need the knowledge and skills to be able to respond effectively and efficiently to bioterrorist attacks.

What is the government doing to ensure that regional plans are developed across the country and that potential targets, such as the virology lab in Winnipeg, are not left vulnerable?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as my hon. colleague is aware, we have a national counterterrorism plan and all these issues are being discussed. We are in discussion with our provincial colleagues in order to make sure that we have the proper mechanisms in place to address such difficulties across the country.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC/DR): Mr. Speaker, Canada can no longer solely rely on our allies' intelligence to alert us of external threats. Former CSIS planning chief David Harris guaranteed that it was only a matter of time before terrorists would strike in Canada. Harris and others have been calling for a separate foreign intelligence agency. At home we know that CSIS has been decimated by Liberal cuts of \$74 million.

Will the Prime Minister heed the words of his own Liberal defence committee chairman and commit to establishing a Canadian foreign intelligence agency? To not do so could be fatal.

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, my hon. colleague is no doubt well aware that CSIS does operate abroad. Anything that affects Canada's security, in the country or outside the country, is the responsibility of CSIS to investigate.

Miss Deborah Grey (Edmonton North, PC/DR): Mr. Speaker, they have virtually nothing to work with on that.

Yesterday the solicitor general told me, "There were no planned attacks on Canada". He could hardly assure us of that.

Former CSIS director Ward Elcock warned that terrorist cells are active in Canada. Now Dave Harris, the former chief of strategic

planning for CSIS, has issued a warning. He said: "As far as Canada is concerned, it is coming, it is guaranteed".

Why is the government continuing to ignore the good advice of its own security professionals?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I will say that one thing the government does not want to do is create undue fear for Canadians. The fact is we have a very efficient security intelligence organization. We have one of the best, if not the best, police forces in the world. We live in one of the safest places in the world. It will continue to be that way.

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FOREIGN AFFAIRS

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, Canada's first line of defence against terrorism is our embassies abroad, but fraud and corruption are rampant in those embassies. There have been hundreds of known cases in the last three years. No wonder Canada has a growing reputation around the world as a bed and breakfast for terrorists.

What is the government doing to fortify the frontline against terrorism, to fortify our foreign embassies?

● (1450)

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, if that were true, it would be really worth getting excited about, but I am afraid that it is an exaggeration, as so many of these things are.

The truth is that we do take appropriate security precautions. We deal with the cases as they arise. Very often, as the hon. member will know, we require special action in respect of locally engaged staff to ensure that they not only understand Canadian law but that they comply with our moral and ethical standards.

I certainly reject the suggestion that somehow or other our embassies abroad are rampant with corruption. That is an outrageous allegation.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, over 300 cases between 1993 and 1996 alone is rampant corruption at our embassies. The corruption at our embassies includes selling passports and visas. Our frontline against the entry of terrorists has been breached. The embassies involved include embassies in Kuwait, in Pakistan, in Syria.

Our perimeter security is in jeopardy and Canadians know it. Is there a minister on that side that does?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I certainly hope that the hon. member does not contemplate trying to give Canadians an apprehension that they do not need to have because what we do not need right now is needless fearmongering. There is plenty of justification for real concerns as a result of the things that happened last Tuesday.

What we saw last week requires a very serious response from all of us. These wild allegations about somebody selling a passport do absolutely nothing to create the kind of concerted effort we need to take not just in Canada but internationally against the real trouble, which is international terrorism.

Oral Questions

[Translation]

TERRORISM

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, the question of what fate American justice has in mind for the terrorists may create an impasse.

In numerous Arab countries, the idea that Osama bin Laden, if officially charged, would be judged by the American justice system is problematic.

If Osama bin Laden's guilt were determined and an impasse occurred around his extradition to the U.S., is the minister prepared to propose to the security council that an ad hoc international criminal court be set up in order to break that impasse and expand the coalition?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I must point out to begin with that the events of Tuesday, September 11, are a crime that was committed in the United States.

I do not believe that the United States will accept the idea that someone responsible for such a crime would be brought before a court that was not located in the United States.

At any rate, we are certainly in favour of continuing our efforts in support of the treaty of Rome, which would create an international criminal court.

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, I am returning to this question because the minister is, of course, right that the event occurred in the United States but the necessity for a coalition, the broadest one possible, and the fact that nationals of ten or more countries were killed, might make this a major issue.

I therefore ask him: Is he seeking a solution along these lines, one that would make it possible to broaden the coalition?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, if we can find a way of satisfying not only the government of the United States, where the crime was committed, but also the victims' families, in that justice would be pursued before some other court, this might meet our objective in this case.

In any case, I would say the support of all the other members and the allies would be necessary, as well as the United States, which—

[English]

The Speaker: The hon. member for Lakeland.

* * *

● (1455)

NATIONAL DEFENCE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, yesterday the Minister of National Defence admitted that we have lost over half of our experienced pilots from Kosovo, so we know we are short of experienced pilots. After the attack on September 11, NORAD scrambled U.S. fighters and our F-18s here at home. We are talking about protecting Canadians in our country.

Did Canada meet our NORAD commitments in sending the required contingent of F-18s fully loaded with sidewinder and sparrow missiles?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, first, at the time of the Kosovo air campaign we had some 40 pilots. Today we have more than that available for any possible commitments.

Second, we did make additional planes available to NORAD at the time of the September 11 incident at the request of the United States. They thanked us for that. I am not going to talk about what weaponry they may or may not have had on board.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I can understand why the minister does not want to talk about that.

Defence experts have warned that Canada's armed forces are so depleted that there is not a lot Canada can do to contribute to strikes against terrorist states. The government promised in the white paper to commit two squadrons of F-18s and at the same time meet our NORAD commitments.

Can the minister stand here today and legitimately say that he can meet both our NATO and NORAD commitments?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the United States decided to take a bipartisan approach. Here the Alliance wants to play cheap politics with this terrible disaster. I think that is disgusting.

Let me say that we will meet all of our commitments in the white paper.

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HEALTH

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, my question is for the Minister of Human Resources Development. There is great concern across Canada about maintaining the number of physicians across the country.

What is the government doing to meet the human resources challenges facing our health care sector?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member is quite right. Canadians are concerned about the supply and the deployment of physicians across the country. That is why we were glad earlier today to be joined by representatives of the medical profession to launch a human resources sector study that will help physicians in Canada plan for the health care workforce of the future.

This study will ensure that physicians can better anticipate changes in their role and in their skill requirements, while at the same time study the issue of the shortage of doctors.

I would like to thank the Canadian Medical Forum, an organization of over 60,000 physicians, for its leadership in this regard and will look forward to their—

The Speaker: The hon. member for Calgary West.

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NATIONAL DEFENCE

Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, as far as bipartisanship goes, in the United States the opposition is actually invited inside the White House.

Business of the House

Canadian fighter planes are normally stationed at Bagotville and Cold Lake. Did the Minister of National Defence, as part of his heightened state of alert, station Canadian fighter planes in Toronto? In plain terms, could the minister assure Canadians that on September 11 he even considered measures to stop a jumbo jet from crashing into the CN Tower?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the Canadian Air Force is part of the NORAD system along with the United States. It has the responsibility, the assets and the personnel that are required to protect the air space of North America.

I am not going to talk about specific deployments. That is not the kind of thing that is in the national interest to talk about. However those kinds of matters are under constant review to make sure that we continue to ensure the safety and security of Canadians and all the people of this continent within the NORAD framework.

Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, this is interesting. On one hand, we have the Prime Minister proudly declaring how Canada will set its own immigration, refugee and deportation rules without the input of the Americans. On the other hand, we have our defence minister telling us that many Canadian cities are only protected by the good grace of our American allies.

The defence minister is contradicting the Prime Minister, saying in this case that we are relying on the Americans. Which one is wrong?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the hon. member is clearly wrong. He does not seem to know that we have a sharing agreement with the United States on the protection of North American air defence called NORAD. We have had it since the 1950s. We share in the assets and the personnel. We will continue to do that to protect the air space of all the people of North America.

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• (1500)

[Translation]

REFUGEES

Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, the situation that has been confronting us since September 11 is a source of concern for each and everyone of us. However, for thousands of refugee claimants, the uncertainty is reaching extremely high levels.

Since the decision-making process takes place over a period of several years, thus promoting clandestinity with all the social and safety consequences that it may trigger, how does the Minister of Citizenship and Immigration intend to deal with the requests of the Quebec minister of public relations and immigration, who demands, and rightly so, that we clean up the mess in the refugee determination process?

[English]

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, as the member knows, Canadians are very proud of our response to people who are fleeing persecution. We will continue to honour those humanitarian commitments.

In Bill C-11 we are streamlining the refugee determination procedures because we all recognize that it takes too long. I also want to assure all members of the House that whenever we have evidence that someone poses a national security risk we have the powers to detain and argue for continued detention, and we do that.

In the new Bill C-11 we will also have the ability to deny access to the refugee determination system for those who are inadmissible to Canada. For those who need our protection, we will continue to do that.

* * *

THE ECONOMY

Mr. Scott Brison (Kings—Hants, PC/DR): Mr. Speaker, according to reports, cabinet is reassessing the need for a fall budget. Ministers, according to the same reports, are discussing economic stimulus measures that could put the country back into deficit.

In June the finance minister said that he would introduce a fall budget if the economy worsened. Clearly the Minister of Finance recognizes that the economy is worsening. Will the minister commit today to presenting a fall budget?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, as I have said on a number of occasions, all options are open. The fact is that before one comes down with a budget, one has to have a fairly good grasp of where the economy is going.

We have seen that we are in a period of considerable uncertainty. At the same time, given the costs of augmenting our national security, which is our number one priority, and the joining together with the United States and other countries in a major international effort against terrorism, it would be premature for us to contemplate when a budget would be brought in.

However, I can assure the hon. member that a full and comprehensive statement will be provided in the month of October as to where our spending, our debt retirement and our tax plans fit into the projections.

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BUSINESS OF THE HOUSE

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, will the government House leader advise the House on the business for the rest of the week and the business for next week?

It is only a matter of a few weeks before the national sex offender registry legislation should be tabled. Will he advise the House if that will happen.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this afternoon we will continue debate on Bill C-15, the criminal code amendments. Time permitting, I would like to start with Bill C-6, the water export bill. If there is agreement, which I intend to seek very shortly, a take note debate would follow after 8.30 p.m., pursuant to requests made in the House by some hon. members, on the Prime Minister's forthcoming visit to the United States of America to meet the president.

Government Orders

On Friday, we will commence second reading of Bill S-23, the Customs Act, and if necessary, Bill C-6, the water bill.

On Monday, we will deal with Bill C-30, the courts administration bill, followed by second reading of Bill C-27, regarding nuclear waste.

Next Tuesday shall be an allotted day, in the name of the Bloc Québécois.

Next Wednesday we will deal with the Nunavut water and surface rights bills which was introduced earlier this day.

As I mentioned earlier, I draw to the attention of House that there were some consultations earlier today. Given these consultations, I will propose a motion now to the House. However, for the benefit of House leaders, it will be slightly amended because I will have to remove some words in order to seek what I believe is the common ground. If the House leaders have the text of the motion, I will start in the second sentence, not the first. I move:

That, at 8.30 p.m. this day, the House shall continue to sit and shall resolve itself into a committee of the whole to consider a motion "That the committee take note of the planned meeting between the Prime Minister and the President of the United States" provided that, during consideration thereof: (1) the Speaker may from time to time act as Chair of the committee; (2) the Chair of the committee shall not receive any quorum call or any motion except the motion "That the committee do now rise"; (3) when no Member rises to speak, or at 12 a.m., whichever is earlier, the committee shall rise; and (4) when the committee rises the House shall immediately adjourn to the next sitting day.

• (1505)

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, I rise on a point of order. I wonder whether the government House Leader would indicate whether it is the intention of the Prime Minister to be present in the House tonight during that debate to outline his plans in Washington and to receive directly the advice and views of members of the House of Commons?

Hon. Don Boudria: Mr. Speaker, this debate is not at the request of the government. It is at the request of opposition members of the House. As a government—

An hon. member: Answer the question.

Hon. Don Boudria: Perhaps if it is a question for which the hon. member is awaiting the answer, it will take time.

Given that the debate tonight is at the request of the opposition, the government is doing its best to accommodate the request. I, as a minister, intend to be here for part of the debate. Some of the parliamentary secretaries will be here. Members of course will be making their comments available both to the public and to the Prime Minister.

As to the presence of any individual, the Prime Minister for that matter or any other minister, it is too early to tell at this time which ministers will be available for the purpose of the debate should it take place. All these items are being negotiated virtually within the last minutes.

Right Hon. Joe Clark: Mr. Speaker, I may have missed a nuance. Will the Prime Minister be here tonight?

Hon. Don Boudria: Mr. Speaker, there is no nuance. I told the right hon. leader of the Conservative Party that I was not able to confirm the presence of any particular minister at this time, let alone

the Prime Minister. This request was made only a few hours ago and some of it was being negotiated during the question period, which ended eight minutes ago. That information is not yet available to me, as I have just explained.

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

Some hon. members: Agreed.

[*Translation*]

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

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

• (1510)

[*English*]

CRIMINAL LAW AMENDMENT ACT, 2001

The House resumed consideration of the motion that Bill C-15, an act to amend the criminal code and to amend other acts, be read the second time and referred to a committee, and of the amendment.

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, I will take time to re-establish the direction in which I was going. I suggested that the omnibus bill had raised a number of questions. Constituents have asked questions and I have asked two questions that were at the heart of what I was asking. First, is the bill for the protection of children and second, is it for the protection of animals?

I will move from that to include some remarks made by some associations around the country to which I have referred. I have a letter from the cattlemen's association. It has expressed some of the same opinions that some of our members have expressed. For instance, one of its main concerns is the following:

It is mistaken ever to imagine that animals could have "interests" or "rights" requiring protection. In a civil society, there can only be "interests" or "rights" where there is reciprocity. Canadians enjoy their legal rights because they go hand-in-hand with corresponding legal duties.

The association went on to say:

That does not mean that humans have no duty to protect animals from cruelty. But such a duty does not and cannot arise from animal "interests" or "rights". The manner in which we treat animals is a matter of public morals and virtue.

Those are perhaps two foreign words but I agree with them.

Similarly, the Canadian Veterinary Medical Association said:

Our association's support for the bill is based on our interpretation of the amendments and on the hope that they will not compromise and criminalize the accepted practices in regard to the treatment or use of animals, including some recognized activities such as agriculture, hunting, fishing, trapping—

It went on to say that the CVMA recommends that a preamble to the bill indicate some recognized practices for the treatment and use of animals that are to be governed by the bill. In other words, it wants clarification on the practices. The dairy farmers of Canada indicated basically the same thing.

Government Orders

The following is my next question. Why has the government proposed such a diverse objective all in one bill? It seems like a senseless attempt to address such diverse issues as the abuse of children and the abuse of animals in the same act, to amend the criminal code and other acts. It may be correct and allowable from a parliamentary perspective but there is a significant gap in these issues. It leaves one curious as to how the government expects to gain support for legislation drafted in that manner.

Members of the House could have spent the entire summer trying to make sense to their constituents as to why this approach was taken. Is it about people? Is it about animals? Is it about guns? Is it about national defence? What is the bill about?

Is it the most effective way to gain majority consent of the House in support of the legislation? One would have to understand that this is not the way to build consensus. It is not the way to pass legislation. It is only a way to divide and, I suggest, there was an intent to divide rather than to bring together.

It is apparent that this is not the most effective way to gain support. The government has not been open to amendments to the legislation and especially regarding the application of the criminal code respecting agriculture.

Is it simply a procedural tactic to force members of the House to support legislation regardless of the flaws inherent? It seems that this legislative approach is merely a tactical procedure to gain passage of ambiguous and questionable sections of the act regarding animal agriculture and gun registries on the back of sections regarding child protection, which the government fully realizes the House would support.

Why has the government weakened the legislation by including certain sections that it fully realizes has soured support. It is apparent to any reasonable person that the legislation is flawed and weakened.

• (1515)

It is a contrived attempt by the government to divide those who want to support the good amendments. We have encouraged the government to consider amendments to this legislation in order to gain full support of the responsible members on both sides of the House. It has refused in order to continue to play its petty political games.

Is the government brazenly tempting opposition members to oppose this legislation for its own political gain or does it simply not understand the consequences of its own legislation that it expects the House to support?

I believe the government deliberately set out to tempt members to oppose this legislation. If this was its intent, then it has succeeded. I cannot in good conscience support the legislation on behalf of my constituents.

Again I ask: What is the real purpose of the bill? I have to say that I do not believe it has anything to do with the attempt to give good democratic consideration of legislation.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, a little later on in the debate I hope to do a formal speech myself, but I do want to note for the parliamentary record that the animal rights provisions in this

particular piece of legislation appeared in the previous parliament in a much cruder form. It is worthy of note that the Department of Justice did make a number of very significant changes to the animal cruelty provisions that exist before us. However this is not to say that further improvements are not possible. There are some on this side of the House who share some of the concerns expressed on the other side.

However we should all understand that the whole purpose of second reading debate is to discuss these flaws and see whether or not the committee will support the concerns expressed in the debate and make the appropriate recommendations to the minister.

Mr. Larry Spencer: Mr. Speaker, I would hope, by the hon. member's comments, that it could be under further consideration. However, when the amendments and suggestions were originally brought out in committee they were passed over as unimportant. We have to rattle a few chains and make a few challenges in order to get attention back to this issue.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I know this goes in *Hansard* so I hope not too many people read it. It is not often that I agree with my Alliance colleagues but on the issue of whether the bill is about animals or children I agree with the hon. member. He says the issues should have been talked about in separate bills. He is absolutely correct. We New Democrats say the same.

A former colleague of ours, the hon. Chris Axworthy who is now the Saskatchewan justice minister, introduced a bill in the House many years ago to protect children from Internet pornography. Another former colleague of ours, Mr. Gordon Earle, introduced an even broader bill. Bill C-210 would have expanded that protection to material which advocated, promoted or incited racial hatred and violence against women or other minorities.

I will pick up on what the previous member was saying about whether the current bill is about animals or children. Many Canadians are confused about this. If the House were at all mature or responsible it would never in its wildest dreams have combined the two issues.

When it comes to cruelty to animals there are many debates about that topic alone. It is of concern to farmers, hunters, aboriginal communities and people in urban centres. When it comes to the issue of child pornography the mere act of discussing it on the Internet incites debate throughout the country.

It is folly to think we can debate the two issues in the same bill. It is simple nonsense. Only the Liberals could do something like that. It is incredible that they would even attempt to get away with it. If they had separated the bill as some of my colleagues had asked them to prior to the summer recess, strong child pornography legislation might be in place as we speak.

However we went through the entire summer without further debate. The government twiddled its thumbs and sat on the issue. As a father of two young girls, it is imperative that the House of Commons and all legislatures across the country do everything they can to protect our children.

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One of my concerns in taking over Mr. Chris Axworthy's bill and reintroducing it into the House has been that with the rapid rise of Internet use an awful lot of children have been inadvertently getting sucked into a trap by pedophiles. It is one of the greatest sins anyone can commit on a child.

Children have a fascination with television sets and the Internet. No matter how well parents or guardians protect their children, look over their shoulders and examine everything they do on a computer, no one can be there 24 hours a day to watch what children do.

Pedophiles are extremely intelligent at using the right words and terminology to entice our children into these traps. There are far too many examples where children of all ages have been sucked into that trap and dire consequences have been the result.

What do we have? We have a bill in the House of Commons which combines the protection of children with cruelty to animals. We must be the laughingstock of all legislatures in the free world when it comes to this type of debate. There is probably no precedent in the Commonwealth or anywhere else where a government in its right mind has combined the protection of animals with the protection of children.

What are we saying about children? Are we comparing them to cats and dogs? Are we comparing them to cattle? Are we comparing them to game? Is this what we are doing? That is the impression the omnibus bill gives. It is simple nonsense to think we can have a rational debate on these or any other subjects in the bill.

We cannot presume to tell Canadians, after the bill is passed by Liberal majorities in the House and Senate, that we can protect children. It does not make sense.

• (1520)

We ask the government to quickly split the issues into separate bills. It could put the cruelty to animals issue in one bill, the child pornography issue in another, the gun issue in another and so on. This way there could be fair and equitable debate in the House of Commons.

As a father of two young girls who is extremely nervous about the big, bad world in terms of Internet pornography I urge the government to look at the previous bills, Bill C-212 and Bill C-210. They are already done up. The government can take them, steal them or do whatever it wants but it should incorporate them into its legislation and do so quickly. I am sure that after reviewing the bills all members of the House would support their measures and pass them quickly.

If we can pass a retroactive pay raise within a couple of days, surely to God we can pass legislation to protect our children from the infamous pedophiles and dangerous criminals who are out there.

Mr. Speaker, I thank you for the time on behalf of my children and all the children of Canada. The government and all legislators should do what we can to protect children from danger on the Internet and elsewhere.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I listened attentively to what the hon. member said, and indeed, he is right on a number of points.

I would simply like the hon. member to enlighten the House. I want to make sure that I understood the thrust of his speech. Everyone knows that there are a number of subjects covered in the omnibus bill, Bill C-15, before the House. There are a number of subjects amended in the criminal code.

Am I correct in understanding that he would like the government to follow up on the opposition's request to split Bill C-15 into several bills, including one that could deal with, as the hon. member stated so well, sexual exploitation and the whole issue of the use of the Internet in order to gain access to children. Another bill could deal with criminal harassment, and another with home invasion.

Am I correct in understanding that a number of these bills would not be contested by his party, in other words, that they would give their consent fairly quickly? Or perhaps he could even give it immediately and tell the government "Here are the subjects on which we agree and on which we would like to proceed quickly. Here are the other subjects that we consider problematic, and in which the House should invest more time, in order to examine some particular aspect of the bill, because it deserves a more in-depth study".

My question is quite simple. I would like to hear from the hon. member from the New Democratic Party what exactly is not contested by his party and that he would like to have passed quickly, and what is problematic. Could he distinguish between the two so that it can be determined as specifically as possible which elements of the bill are problematic and which are not?

• (1525)

[*English*]

Mr. Peter Stoffer: Mr. Speaker, I thank my hon. colleague from the Bloc Québécois for his questions. I must speak without the privilege of consulting my justice critic, the member for Winnipeg—Transcona, on what our party would quickly pass and what it would send to committee. However speaking for myself I would probably fight for anything to do with children, Internet pornography and so on. I would do everything I could to convince my party to pass such legislation quickly.

When it comes to cruelty to animals the bill should go to committee to allow the general public further discussion. The same is true for the gun concerns of police officers.

Although I cannot speak for my party without consulting other members I can rest assured that when it comes to protecting children from Internet child pornography our party would quickly support such legislation.

Mr. Loyola Hearn (St. John's West, PC/DR): Madam Speaker, it is my privilege to say a few words regarding a bill we should perhaps not be speaking about in its entirety.

It is strange that there is unanimity on one side of the House on how to approach the bill and yet people on the other side have their heads in the sand and refuse to address it in its different aspects, something which would make a tremendous amount of common sense.

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If I suggested we go for a walk on a newly constructed hiking trail on which there was a lot of mud and bog and where it would be rough going, and that on the way back we stop to participate in a formal dance, I would probably be told that I was off my head because I could not dress for both occasions.

This is exactly the position we find ourselves in. We have two complete unlikes to which we are expected to say yes or no even though many members of the House, and surely many members on the other side, cannot justifiably support the bill as it is structured.

There are parts of the bill our party can support wholeheartedly although we would like to see further discussion and perhaps more amendments. We would like the bill strengthened, especially in relation to child pornography, although we strongly support that part of it.

Many people who stand in this honourable House have families of their own. Many of us have younger children who spend a lot of time on the Internet and we realize the dangers which confront them daily. We in our party agree with strengthening the law as it pertains to child pornography on the Internet.

However concerns must be clarified in relation to the liability of service providers that could be inadvertently drawn into problems which might arise when people use their services for illegal means.

The bill as it is structured would give us much more strength than was previously there to combat this growing problem. As members know, it has been made quite clear by our intelligence people that child pornography on the Internet is increasing with the use of the Internet. Undoubtedly that makes sense.

Now is the time to start addressing this serious concern. This should be done by people who are prepared and trained to do so. We must be able to identify the problems and identify those using the Internet for illicit means.

The section on child pornography is quite good but it is lumped in with a section on cruelty to animals. There are parts of that section which everyone supports. No one would support cruelty to animals as the term is ordinarily used.

However animals are used for many purposes. One that comes to mind is research. This issue is of major concern to our universities. There are people who would like to see such research discontinued.

How many people in the world, young and old, are alive today because of advancements in medicine that have occurred only because of scientific experimentation on animals? Many of the cures we avail ourselves of today were discovered by experiments on animals.

•(1530)

Many of the cures that we hope to see in the future are presently being worked on because of the experimentation in various labs in our scientific institutions, especially in universities across the country and around the world. Many of the people involved have severe concerns about whether or not they would be implicated under the new legislation. That is a section of the bill that has to be debated and refined much further than at present.

We have people who make their livelihoods in the agriculture industry by raising animals for food and other uses. Undoubtedly all of them have concerns about whether or not the legislation could jeopardize their livelihood. This legislation has not been refined to the point where the people involved are satisfied. Indeed the legislators on this side of the House are not satisfied.

When it comes to gun control most of us on this side advocate the elimination of long guns from the regulations. We are acting as if everyone who owns a gun in Canada is a criminal. Many people in rural regions make a living for their families and subsidize their incomes through hunting. This could be jeopardized if the legislation is not clarified.

The government is asking us to nod our heads to a piece of legislation with which we cannot agree. The section on child pornography should be taken out of the present bill and dealt with separately. Many of the other parts of the bill can be passed immediately. There are sections which have to be further debated, refined and dealt with separately. Child pornography cannot be dealt with in the same pot as other sections of the bill.

Hopefully the people on the other side will feel the same way we do. We all come from the same parts of the country. It is not like the people on the government side come from a part of the country that is not affected by gun control or by using animals one way or another for research or for livelihood purposes. We all come from the same regions. Surely the people who come to us with concerns are going to them as well.

All of us in the House have to be concerned with child pornography. Undoubtedly we should deal with that as quickly as possible. Every day is another day when some child is being victimized. However other sections of the bill have to be changed or eliminated.

If the House leader will not do it on his own, I am hopeful the people affected in the same way as we are will put enough pressure on the government to split the bill. We could then deal with the aspects that need to be dealt with and they can be dispensed with very quickly. We could deal with the rest of them as we go through committee and debate. It is my hope it can be brought back in a form that we can all support.

•(1535)

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Madam Speaker, it is a pleasure to be back in the House to speak to Bill C-15. Before I begin my speech I want to say hi to Mike Harris. I am not referring to Mike Harris, the premier of Ontario, although I admire him very much, but to Mike Harris, the son of our whip who is in the lobby today. He is a great guy and is the biggest fan of the Prince George Cougars.

The other day my wife and I were walking by the U.S. embassy. I was just amazed at the outpouring of sympathy for what has happened in the United States. Canadians from across the country have showered the U.S. embassy with flowers, cards and their thoughts about how much they feel for the people of the United States and for the people around the world who were affected by the World Trade Center bombing. I do not think there is anyone who would not be moved by this outpouring of sympathy for our friends in the United States.

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On behalf of the residents of the Medicine Hat constituency, I offer our sympathies to Ambassador Cellucci, President Bush and the people of the United States. The Americans are our best friends and have been throughout our time as a country. We have to stand with them in these difficult times.

As we debate Bill C-15 there are many people that feel there are more important things to be debating than Bill C-15. In light of the attack on the World Trade Center, the Pentagon and the plane crash in Pennsylvania, many people have questioned whether or not Canada is prepared to deal with the sorts of events that occurred south of the border.

They feel, and rightly so, that this is the place where we should be debating those things, not just for one or two days but until there is some sense that Canada has a handle on some of the implications of those attacks and some of the planning that needs to occur for us to go forward. There are many aspects to it.

I do not want this to be a partisan debate but I do feel there is real concern about parliament being relevant at a critical time like this one. Although there are very important elements to Bill C-15, the issues of safety and security should be brought forward for serious debate in which we lay out some of the public's concerns.

For example, there are issues about the safety of our international border: whether or not proper screening is done of people who come into this country, whether or not proper resources are devoted to gathering intelligence, and whether or not the people crossing our borders are coming here for the right reasons.

I hasten to add that the huge majority of people who come to this country are here for the right reasons. They are good and responsible people who want to come and contribute to this country. However there are people who come here for all of the wrong reasons.

There have been reports of people connected to terrorist organizations who have come to Canada. They may even be connected to the World Trade Center bombing. People are rightly concerned about this issue. They want to know that our government has taken steps to deal with such things and that it has not been negligent at some point in the past. These things should be debated in this place.

Some of the other implications that flow from it are equally important. People are now concerned about what provisions are in place when it comes to air travel. If there is to be less air travel, that will have an impact on the economy and on the viability of air carriers. Air Canada is asking for \$3 billion to bail it out of trouble.

● (1540)

Those are the sorts of things we should be debating today as opposed to Bill C-15. We should be debating the state of the Canadian military. We talked a bit about it in question period, but that debate should not be limited to question period. These are the things that grip the country. I do not understand and I am sure the public does not understand why we cannot have free ranging debates in this place when these are the things that concern the public.

One of the things that must concern the public in the wake of the World Trade Center attack is the impact it will have on the Canadian economy. People were simply so gripped by what was going on in

the United States that they sat in front of their televisions for two and a half or three days. This had an economic impact as will a border between Canada and the U.S. that may be more restricted in the future than it has been up until now.

We need to figure out what we can do to ensure that we have the free flow of goods and services back and forth across that border because it is a huge part of Canada's GDP. Our exports to the U.S. alone are something like 34% of GDP and total trade with the U.S. is something like 43% of GDP. Those are huge figures.

If there are restrictions at the border as a result, they will have profound impact on the Canadian economy. They could have a very large impact on our ability to maintain a balanced budget. They may also have an impact on our ability to fund some programs when we know there is a demand to put funding into defence, foreign affairs, intelligence gathering and better screening of our borders. Those are the things we should be debating today.

The World Trade Center attack has also pointed to the disconnect between what is important to the country today and what the business of parliament is today. We should not forget that as we go forward.

I hope the House leaders will see the contradiction between what is important to the public and what is going on in the House and take steps to rectify it because we are not truly doing the business the public wants us to do.

Having said all of that, I will now proceed with my speech on Bill C-15. There are some important provisions in the bill that are meritorious, deserve the attention of the House and speedy passage. A couple of them are the aspects that relate to child pornography and the luring of children.

As has been made clear by my colleagues in the Canadian Alliance and by other members in this place, we are in a position where members on the opposition benches would be quite prepared to pass those aspects of the bill immediately if we could divide the bill and deal in a more thoughtful way with the other things that are not as critical and to which everyone agrees. We want to deal with those things, but when it comes to some of the other provisions we are deeply concerned.

One of the things in Bill C-15 that troubles people in rural areas is the provisions that deal with animal cruelty.

Members of the House and the public should consider what Bill C-15 is like from the perspective of farmers or ranchers in southern Alberta. They see provisions in Bill C-15 that impede their ability to make a living at a time when they are under tremendous strain.

We have had two years of drought in my riding and no measurable precipitation this past August. It was the worst period of drought since 1888. Farmers were plowing under fields in July. There was no runoff from snowfall in the spring because there simply was no snow.

Government Orders

• (1545)

There was no water for the livestock. Herds had to be dispersed in the very first part of the spring. Usually ranchers are able to graze their cattle all summer on the pastures but that was not an option this year because they did not even have water at the beginning of the year. There was no water at all and they had to disperse their herds. If there was enough water to keep the herds going, there was not enough grass in the pasture so they had to feed their cattle with hay which becomes very expensive. There was a huge impact on the livestock industry. With respect to grains and oilseeds, again there was no moisture. Fields were plowed under. Crops were plowed under. It has been an absolute wreck when it comes to those issues.

There are several irrigation districts in my riding. Because there was so little snowpack in the mountains this year, only the irrigation districts which had a very large capacity for storing water were able to irrigate through the entire growing season. In some of the irrigation districts, land that is typically irrigated land, there was not enough water to get to some of the crops. The less valuable crops such as grains did not get irrigation water. They were coming in at 10 bushels on the acre when they would typically come in at 40, 50 or 60 bushels on the acre.

It has been a terrible year when it comes to weather conditions in southern Alberta and it has had an impact on the agricultural industry. That comes on top of bad conditions the year before.

Bill C-15 on top of all that is basically a way to kick those producers when they are down. In Bill C-15 they see all kinds of impediments to their being able to do their jobs and make a livelihood. What are the impediments?

There are provisions in Bill C-15 that would make it an offence to harm animals in any way. The problem is that the legislation itself is very unclear about what constitutes harm. For instance in animal husbandry when bull calves have to be castrated, branded or provided with an ear tag, the ranchers are concerned that would be against the law. The Canadian Cattlemen's Association and others have raised this concern.

Some people on the other side have assured us that it would not be a problem, but, in the end because the bill is not clear, it could be left to the discretion of a judge. It could be left to someone to interpret. We are asking either to make this provision much more clear by making amendments to the bill or simply to scrap this provision for now until it is sorted out.

The concern is that if it is not made clear, at some point an animal rights group or whatever will challenge it in the courts. There is the possibility that a judge could read it in such a way as to make it very difficult, if not impossible, for farmers and ranchers to treat livestock in a way that is necessary for them to raise livestock for food and that sort of thing.

Those are the sorts of concerns we have with Bill C-15. I do not understand why there could not be a clarification in the bill that would make it very clear what kinds of practices are allowed when dealing with livestock, for instance. Then we could put the minds of farmers and ranchers at ease.

I want to underline how important that is to people in my riding especially at a time when things have been so difficult for farmers and ranchers.

I want to talk about other provisions in the bill. I have already touched on them briefly, but I think it bears repeating that the official opposition and people on the opposition benches in general, object to the idea that so many different aspects of the criminal code and other acts are being dealt with in what is an omnibus bill. The problem with an omnibus bill is that very often there are some things that people in the opposition support and other things that they do not support. I cannot help but think there is a little mischief going on when it comes to the government putting so many different things in one bill. It puts us in a position where if we oppose the bill for very good reasons, the government can claim that we do not support provisions to track down people who are engaged in child pornography which of course is fiction.

• (1550)

We do support those provisions. That is why we have been arguing for the last number of speeches that the bill should be split. We do support provisions to go after child pornographers. We do support laws that ensure that people who try to lure children through the Internet are dealt with in a very tough manner under the criminal code. We believe in those things. However, we do not support the idea of an omnibus bill like this one which makes it difficult to separate out all the different aspects of it and to vote in a way that expresses how we feel about the bill in general. I simply had to make that point.

I will conclude where I began, which is to say that in the wake of the World Trade Center bombings, many parliamentarians are deeply concerned that this is not the appropriate time to conduct business as usual in the House of Commons. These are extraordinary times. We should be dealing with the issues that the country is concerned about, the issues that have gripped people for the last eight or nine days. If the government ever wanted to demonstrate goodwill toward reforming parliament and ensuring that the public is not cynical about how this place operates, this would be a perfect opportunity to suspend the usual business to engage in some of the discussions I mentioned at the outset that really do have a deep and profound impact on the day to day goings on of the Canadian public.

Madam Speaker, I move:

That the amendment be amended by inserting after the word "principles" the following:

Such as: child luring and child pornography over the Internet; animal cruelty; amendments to the Firearms Act; criminal harassment; home invasions; disarming, or attempting to disarm, a peace officer; reforming criminal procedure; and allegations of miscarriage of justice.

• (1555)

The Acting Speaker (Ms. Bakopanos): The Chair will take the amendment under advisement and get back to the House as to whether it is admissible.

Government Orders

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, I listened carefully to the remarks of the previous speaker. Indeed, the first part of it concerned the conduct of the Liberal government. We have to acknowledge that the Canadian Alliance member was right.

We do have a strange government. It says one thing and does another. It tells the people one thing but, in practice, does something else. We could give many examples of this.

I will give an example similar to the one the member gave, and it concerns organized crime. This is a very important matter. Everyone has debated it here in the House. We quickly passed the bill in June in order to implement it as quickly as possible. Bill C-24 is before the other House as is another very important bill, Bill C-7, the Youth Criminal Justice Act.

The Liberal government says that public safety is important and that it wants to do its utmost to, in addition to having anti-gang legislation, amend the anti-gang legislation, which has not yet been passed in the Senate, and add amendments in order to fight terrorism. Well, we might have thought the government would instruct the other House to have Bill C-24 examined as quickly as possible in order to be put into effect. Well no, it did not.

The Liberal government instructed the Senate not to pass as quickly as possible the anti-gang legislation, the legislation to fight organized crime, not to make amendments to cover terrorism, as the Prime Minister has been saying since the start of the conflict; no, the government instructed the other House to pass Bill C-7. Declaring war against young offenders will certainly settle the affairs of the world. This is an example of the sort of speech the government makes here for public ears. But, the reality of the matter is something else again.

The Canadian Alliance member is right: we should be discussing something other than a bill as complicated and controversial as Bill C-15. If hon. members took a good look at this legislation, they would agree that it is inconsistent. We cannot deal with and put on the same footing—after all, we are amending the criminal code—the protection of children, the vulnerability of childhood, and the protection of animals. This does not make any sense.

We could pass very quickly all the provisions that have to do with the protection of children, such as Internet games and issues. We could also adopt very quickly provisions dealing with penalties as they relate to harassment. We could adopt them today if the government was willing to co-operate by simply splitting the bill.

There are controversial clauses, such as those on animal cruelty. I can understand the hon. member from western Canada whose constituents are very concerned with this bill, because back home in Quebec, we also have farmers, people who work with animals, hunters, fishers, research laboratories and universities that are concerned. Instead of discussing a bill that no one wants or that is largely controversial, we could have talked about the preparation of the strikes that the United States are about to make. We could have talked about how to help small and medium size businesses, companies, and how to improve our border services. We could have

talked about the Canadian Security Intelligence Service, about public safety. But no, we are not talking about these issues.

• (1600)

Could the Canadian Alliance member tell us which parts of the bill we could quickly adopt because they are not being challenged by his party, and could he point out those that are more controversial and require a more indepth review? Could we split this bill in two?

We could adopt one part quickly and take more time to properly review the other part.

[*English*]

Mr. Monte Solberg: Madam Speaker, I thank my colleague for his fine speech and the question at the end of it. The hon. member has asked me a very specific question. I can tell him that there are a number of aspects of the bill that the Canadian Alliance agrees with.

We agree with stiff penalties for luring children through the Internet. We would pass that quickly. We agree with provisions against child pornography. We would pass that quickly. We agree with provisions that provide a penalty for trying to disarm a peace officer. We would pass that quickly. Those are things we agree with. We have no problem with them.

More to some of the things that my friend said in his discourse, the thing that concerns me most of all about what is happening in this place today is its lack of relevance to where the public is at today. The public is gripped by what the future holds for it as a result of the World Trade Center bombings and the attack on the Pentagon. The Canadian public wants to know what the implications are for it.

Why are we not debating those things in the House of Commons? We are here to do the people's business. I can state that today Bill C-15 is not the people's business. They want these other issues addressed.

I would urge the Prime Minister and the House leader from the government side to remember that they are here and have an obligation to serve the public. They are not doing that when we are debating bills that to a large degree are simply not relevant in the context of what has happened in the United States in the last nine days.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Madam Speaker, I would be tempted to congratulate my colleague for his brilliant and very eloquent speech. In some ways we share his position, of course.

Does he agree with the other members of this House and I believe the hon. member for Berthier, Montcalm has been very eloquent in this connection—that, in a democracy, when we have been elected as MPs to represent a community, when people have spoken through the ballot box, and we are delegated to represent our fellow citizens here in this House and to speak for them, there ought to be an inalienable principle governing each vote and each debate in this House, namely to be very clear what we are voting on?

Government Orders

Is it not absolutely detestable that the government is making use of an insidious practice, one that is just within the limits of honesty, to have a catch-all bill, an omnibus bill that goes all the way from soup to nuts? Is it not deplorable that the Minister of Justice is acting in such a reprehensible manner and with such unclear ideas?

[English]

Mr. Monte Solberg: Madam Speaker, my friend is absolutely correct.

One of the things that I think most turns off Canadians is the government using its ability to set the legislative agenda to play political games. There is no question that this is what it has done for Bill C-15, knowing that it can count on the public's lack of understanding of how complicated the bill is to try to trap opposition members. It is completely disingenuous.

What a responsible government would do when it comes to bills like Bill C-15 is divide them. That is clearly what opposition members have been asking for.

The government has claimed in the last several months that it is committed to reforming the House of Commons. It could start by ensuring that we would not have omnibus bills any more by ensuring that there is a provision to divide up these bills. We could change the standing orders to empower the Speaker to divide bills that are omnibus bills. There would be nothing wrong with doing that.

I completely agree with my friend that if the government is committed to democratic reform that is a good place to start.

•(1605)

The Acting Speaker (Ms. Bakopanos): The subamendment proposed by the hon. member for Medicine Hat is in order.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Madam Speaker, as my colleague from Medicine Hat said, on this day it is very difficult to speak to this topic but I want to assure the House that for a million or more Canadians out there this is a very important bill. The bill is so important to them that they are waiting and waiting. Most of all, those who follow the House recognize that the bill takes away my right as an elected MP. It disenfranchises me because of its complexity. I will explain.

If I vote yes to the bill I am telling a million people out there that I am turning over the definition of cruelty to someone who lives in Toronto or Vancouver and who is far removed from the animals we raise on farms. If I vote no to the bill then I am saying no to regulations on pornography, disarming a police officer and so on.

Canadians need to know that the bill is well designed and well planned, not for now, but let us say we have an election in June 2004. Every member of the opposition will be accused either of voting for something or voting against something. It can be used in a very political way. It is meant to hurt everyone who has been elected to the opposition in the House.

A man in Saskatchewan invented what he called a gophinator to control those pests, gophers. He wanted to patent the machine. It uses a very simple procedure of shooting gas down the hole; the animal dies instantly without any pain. I said to others that it would never pass because some animal rights people would not allow it. That night on a phone-in radio show a man from Vancouver phoned

to say that the machine should not be registered because people in the west do not understand that gophers are good for them. They aerate the soil.

That should give the House some idea of why the cattle industry, the animal industry and even other industries are so concerned that all of these things have been put into one bill. If we vote yes we are damned, if we vote no we are damned and if we abstain we are damned. It is a no-win situation for us in the opposition and the government knows it. The government has planned it, not for now but for the future.

Surely to goodness if the government would talk to people, those people would say to split the bill into sections and let people debate them.

There are people out there who will tell those engaged in the chicken industry that it is cruel to have those hens locked into cages. We have all heard that. They will say that the pork industry must abandon its procedures. The industry that really is concerned is the cattle industry, and not just in my area. As I said during statements by members, and as my colleague from Medicine Hat mentioned, those farmers out there right now want to put in dugouts so they hopefully can catch the next spring runoff, but the government has run out of money through the PFRA. That is understandable, but when the government needs money for various things it can throw a million dollars anywhere. All the farmer gets to put into one of these collecting systems is one-third.

•(1610)

We have ignored the industry and now these people are facing this stupid legislation. It is stupid. I have heard animal rights people say it is cruel to castrate a calf. The government will abide by the rights of these people. That will come. What will also come to the industry is that branding will be prohibited. What will come is a huge cost to the industry to survive.

Not only that, there was the last time I went to a rodeo, which is a big sport in the west, the challenge of man against beast. I saw the animal rights people with cameras right up close. I talked to them. They said there are two events that will have to be removed from the rodeo and they will fight until they are. The first one that they say is cruel and has to go is calf roping. The other one is bulldogging or steer wrestling. The biggest target these people have in this country is to some day block out the Calgary Stampede. They have stated this publicly.

Here we are, wanting to destroy, with a bill in regard to which legitimately elected people are faced with the choice of voting yes, no or abstaining. As my colleagues have mentioned there are some good points in the bill. How will I vote? If I abstain, the government will say I do not have any guts. If I vote yes, then I will be saying to the whole cattle industry across Canada that we are going to let some crackpot decide what cruelty is. If I vote no, then the government will say that I approve of child pornography and all of these things.

Government Orders

This is a lot more serious than we think in a democratic process. If the government gets away with the bill, if it does not break it down, we will see more and more complete disregard for my colleagues who have been elected from across Canada and who sit in this opposition. Make no mistake about it, the bill is a bill that disenfranchises every member who sits in the opposition.

Let the public know that. We will be disenfranchised if the bill passes in its present state. Democracy goes out the window completely because we cannot support the bill in its entirety as it is presently before us.

I plead with the government to let its individual members look at this, to let them examine what they are doing to the concept of free and open debate. Let them examine what they are doing to the opposition members who have to go back to their constituents and try to explain why they voted or abstained.

The bill is wrong, and I know one thing: every single member opposite in the Government of Canada knows it is wrong but they are using the bill in its entirety as it is being presented before us here. We will find out what the motive is but right now we just do not know.

• (1615)

In conclusion, the government should pull this bill, break it down, preserve democracy and have some respect for the humble people over here who happen to sit in the opposition.

Mr. Jay Hill (Prince George—Peace River, PC/DR): Madam Speaker, I listened very attentively to my hon. colleague's speech. He certainly raises a great deal of concern that I am hearing expressed all across the land, particularly in rural ridings.

As he says, the industries involved in guiding and outfitting are important to the welfare of especially northern Canada and other parts of Canada such as Quebec and Labrador. It is a huge business. He also mentions farming and ranching and the impact the legislation could potentially have on the rodeo circuit, that whole industry and the people employed in it. I could not agree more. There is a great deal of concern.

I am reminded of other omnibus bills such as Bill C-68. At that time the opposition warned that once again the government was lumping a whole bunch of things, some good and some not very good, into one omnibus bill.

The firearms act and the registration of long guns ironically impacted on some of the same businesses. It has a very negative impact in many respects on guiding and outfitting. We have heard that all sorts of problems have arisen, especially with foreign hunters that are a big part of the business being allowed to come into Canada with their firearms and still being able to abide by the new restrictions inherent in Bill C-68.

As far as the impact on farming is concerned, we still get correspondence from farmers because of the restrictions placed on them. How unworkable and irresponsible some of those regulations are when it comes to the way in which they can protect their herds, for example. They have always been able to protect their livestock by responsibly using firearms.

In my short political lifetime of eight years we have already had evidence of the folly of omnibus bills. Surely the government must recognize that in particular with Bill C-68 and all the problems that were created because of forcing it through without thinking things through.

Would my hon. colleague have any other examples in his memory either at the provincial or federal level where governments, over the very justifiable concerns being expressed by opposition, rammed through legislation in an omnibus fashion?

As he says, and I agree, there are some inherently good things in this bill. Probably the majority of it would be viewed as a good, positive step. Certainly some things have not been properly thought through and the impact will be tremendous on some industries.

Does he have any examples of other omnibus bills in the past that were poorly thought through as well?

• (1620)

Mr. Roy Bailey: Madam Speaker, I spent a lot of my life in local government and some time in provincial government. I have never seen, nor would I accept, a bill like this one in either municipal or provincial government. If this becomes a habit, as my colleague has mentioned, democracy goes out and we literally disenfranchise ourselves.

The outfitting industry in Saskatchewan is big. I have two nephews who own companies and work in it, but they now know they must sell and get out. Bill C-68 has put them out. The people who have come into my province for 40 years, and their grandparents before them, no longer come. We have turned away a very big industry. That is what Bill C-68 did.

Come to think of it, I do not ever recall an infraction of law in any province by any of the people who made it a regular habit of coming in.

Again, let me make it clear. It is similar to an auction sale when there is one item in a lot but the whole lot has to be bought to get it. There are some good things in the bill, but in order to get the good things and make them applicable to society we have to take a bunch of garbage. I am confident the government will split the bill.

Hon. Wayne Easter (Malpeque, Lib.): Madam Speaker, I do not mind admitting in the House that I too am quite concerned about all aspects of the omnibus bill.

I would like to ask a question of the member on the specifics of the legislation in the area he is concerned about. He said that the bill would allow some crackpot to decide what is cruelty, and I wonder if he would expand on that.

Being a farmer I have worked on cattle farms out west. What might be his interpretation of the branding of cattle as worded in the bill? Might that be a problem as well?

Mr. Roy Bailey: Madam Speaker, in response to my hon. colleague, the determination of what is cruelty is not contained in the bill. Therefore, who will make that decision?

Government Orders

My brother-in-law had to go to court as he inadvertently threw something at a squirrel and killed it because it was in his attic causing a disturbance. That is cruelty to animals. If I were charged every time I took a .22 and popped a Richardson's ground squirrel, I would never get out of jail.

The hon. member knows the problem is with the terminology respecting what activities are cruel. We do not know. We should applaud the ranchers and farmers who have governed themselves.

I inform the hon. member of a request that came through the other day about a minimum height in stock trailers for horses. If we really want to know about people who are concerned about cruelty to animals, we should ask those who raise them for a living. We cannot have something as vague as this bill when it comes to cruelty.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Madam Speaker, before getting to the main thrust of my speech, I would like to take a mere 30 seconds to extend my best wishes to our new whip here in the House, the hon. member for Témiscamingue, and his great team.

We all know about his promotion, and I am sure my enthusiasm is shared by others, knowing that he will acquit himself of his duties with a combination of two facets of his personality, good old-fashioned authoritarianism and unceasing generosity.

It is, however, somewhat incredible that we are faced here with a bill that is so unpalatable, so inconsistent, so unacceptably flawed as far as its definitions go, such an incoherent mishmash.

Madam Speaker, I was elected when you were, in 1993, although I am your junior by a few years, and I would never have believed at that time that I would one day end up in this House being forced to speak to a bill as inconsistent as this one.

How can people claim to be part of a properly functioning system if they are in government and expect legislators to properly acquit themselves, with due care and professional conscience, of their task of examining legislation, and yet come up with a bill that is totally impossible to grasp?

We would have understood had the government chosen to deal with such an important issue as animal cruelty. Of course, there is a new school of thought, of which we are aware because people make representations to us as their elected representatives. We know that the issue of animal cruelty requires a tightening of existing legislative provisions, including those contained in the criminal code.

We would have understood had the government chosen to validate its bill. Contrary to my colleagues, I am not one of those who will not get to the bottom of the issue. I would have been extremely happy to do my job as a parliamentarian, to listen to what people in our communities had to say on this issue of animal cruelty and to do whatever I could to ensure we have the best legislation possible.

But it is not what this is about. The same bill deals with the offence of disarming a police officer, the Firearms Registration Act, and the process for reviewing allegations of miscarriage of justice.

Could anyone give me an explanation? I would ask my colleagues in the government majority, who have become cruelly silent in this debate, to tell me how all this was presented to them in caucus. Can anybody on the government side tell us what the connection is between the process for reviewing allegations of miscarriage of justice, gun control—members will notice that my colleagues are constantly urging me on, which gives me the impression that I am really giving my best—animal cruelty, imposing harsher penalties, disarming a police officer, and the Firearms Act?

Nobody can. I hope that during the period of questions and comments, someone on the government side will rise, and on the pretext of asking me a question, answer this one.

Let us make no mistake, the member for Berthier—Montcalm, whom you hold in high esteem, as do I, rose in this House and made it clear that we support certain provisions without reservation.

For example, there is the whole matter—an important one—of the sexual exploitation of children in a way that did not exist when we were children, but that has taken on massive importance in the past ten years, and more specifically in the past five. I refer to the Internet.

• (1625)

These are important provisions, which must be included in the criminal code and require us, as parliamentarians, to hold a proper debate. But, for heaven's sake, how can they ask us to vote on this sort of indigestible mishmash of a bill?

I cannot imagine that. There are responsible drafters at the Department of Justice. There are people who no doubt said to the government "It is really not very reasonable to combine a variety of problems that have nothing to do with one another in a single bill".

If, for those who have just joined us, we had to summarize the bill, I would say there are eight major focuses.

As I have just mentioned, there are references to the establishment of new offences in order to protect children from sexual exploitation, including that which involves the Internet.

The member for Berthier—Montcalm will shake his head to correct me if I am wrong, since his legal knowledge is well known, but I think this arises from a court decision. Does it not arise from a decision by the BC supreme court? The member is nodding, so I guess I am not mistaken.

The second focus of the bill consists of increasing the maximum penalty for criminal harassment. This is an important provision.

With the third point, things start to drift a bit. In fact, if the philosopher Pascal were here, he would say of this bill that the centre is everywhere and the periphery nowhere to be seen. The third focus of this bill makes home invasions an aggravating circumstance for sentencing purposes.

So, we have gone from cruelty to animals, to child pornography, to sexual harassment, to home invasions. It is hard to find a common thread in such a hodgepodge.

Government Orders

Fourth, the bill proposes a new offence, that of disarming, or attempting to disarm, a peace officer. This is an important provision. Every year, law enforcement officers attend an awareness day on Parliament Hill. For several years now, I have been meeting with them, as have a number of my colleagues, and I therefore know that this was one of the things they were asking for. Should this be included in a bill like the one before us? I have my doubts.

The fifth focus of the bill is to increase the penalties for cruelty to animals. Say again—just when you think you've heard everything—I must point out how vague this bill is and how open to criticism the definitions are.

The proposed definition for “animal”—obviously the question arises and we must be clear—is as follows:

“animal” means a vertebrate, other than a human being, and any other animal that has the capacity to feel pain.

The question that arises is whether a farmer who deliberately poisons a rat will be charged under clause 15 of the bill. There is no immediate answer to this question on the strength of the proposed definitions.

Let me be clear. There are several important provisions in the bill which we support, but the debate we have been invited to take part in today has to do with the amendment moved by the Canadian Alliance members regarding the need to divide the bill.

The hon. member for Berthier—Montcalm told me earlier, and he knows these issues well, that this bill could easily be split into three different bills. Based on the various provisions, there could have been three bills that could have followed the course of parliamentary process that we are all familiar with: tabling of the bill, second reading, referral to a committee, third reading, debate and referral to the other place.

• (1630)

Again, I hope that someone from the government side will stand up and explain to us what the rush is to pass such a patchwork of measures in this omnibus bill. We need to give the government a serious warning. We have had it with this idea of tabling omnibus legislation which leads to a certain amount of confusion. We rush them through and, in the end, this creates, again, inconsistency.

We were not elected to the House to be confused. I think we need to recall what the philosopher Boileau said “What is conceived well is expressed clearly, and the words to say it arrive with ease”.

But that is not how it starts, it starts as follows:

Clarity of thought for some
Remains a goal not often won
As through a cloud there comes no sun

I must say in all friendship to the Minister of Justice this day has definitely not come in her case, because her mind is fogged by thick clouds. Indeed, it takes some nerve to dare introduce Bill C-15, an omnibus bill governed by eight different principles dealing with eight different issues that have nothing to do with one another, except for the fact, of course, that they are all included in the criminal code.

The best thing that could happen would be to see the pages go around the House and pick up the copies of this bill, and the Minister of Justice go back to the drawing board and table, as the hon. member for Berthier—Montcalm rightly pointed out, two or three bills. Then I can assure hon. members that we would make a contribution to the review of this bill, in a serious and reasonable fashion and with the good faith that has always characterized the Bloc Québécois.

Far from me the idea of downplaying the issues of animal cruelty, sexual harassment or child pornography on the Internet which, as we know, was ruled on by the court.

We should not be proud of what is going on today. Not only is there no reason to be proud, but it is an ugly thing to want to use one's majority to confound the opposition. I should point out that this is our third mandate here and we have seen quite a few of these malicious attempts.

If I could make a wish it would be that both sides, the government and the opposition, would put an end to this practice of introducing omnibus bills and instead take the time required to table bills dealing with very definite issues.

When the issues are very specific, it is easy for us legislators to understand the government's objectives. Let us do our work properly in the House, in committee and at third reading. Is this not what the voters who mandated us here expect? Is this not a legitimate expectation on the part of our fellow citizens? Unfortunately, as I said, this is not what is going on today.

We must ask our fellow citizens what attitude they wish us to adopt. The terrible thing about the situation we are in today—the member for Berthier—Montcalm admitted this just now—is that we lose either way. For instance, we want very clear restrictions on child pornography on the Internet; we hope that the legislation will include tougher provisions in the criminal code.

We can go along with one very particular dimension of Bill C-15. But how can we ignore our desire to hold a real debate on the issue of child pornography when at the same time there are provisions regarding the mechanisms for review of judicial errors? The issue of judicial errors is not an insignificant one. The member for Repentigny himself introduced a private member's bill on this issue.

Let us remember that there have been a number of judicial errors. People have been locked away for 15, 20, 25 years in jail on the strength of facts that turned out not to be accurate. We have some only too concrete examples of people whose lives were ruined because justice made a mistake.

• (1635)

Furthermore, if I may approach this with my customary frankness, the Marshall Commission was created to look into this problem.

Government Orders

The Marshall Commission recommended that when it was a question of reviewing judicial errors and deciding on corrective action, it should be possible to operate with complete freedom from any sort of political interference and that there should be an independent body which would ensure a fair and equitable review, guided by the principles of basic justice and of natural justice.

My understanding of the bill before us is that this is not the direction in which the government is urging us to go, because this decision will lie with the Minister of Justice. Once again, this is not personal. We are not saying that the Minister of Justice is incapable of making good decisions. We are saying “Why not go along with a trend we are seeing in public administration, which is to separate the legislative arm from the executive arm so that the people making the decisions are independent, free from any political interference?”

As we can well realize, we have before us someone who is sad. Unfortunately, I believe we will be extremely aggressive in this instance, as a group of parliamentarians, and will do our best in order to gain an end: the breaking up of this bill. I do not think that is anything unreasonable.

I can see my colleagues in the government majority, and they will agree with me that everyone stands to gain from having clear ideas when involved in politics, that everyone gains if we all understand what we are voting on.

There is one important point to be raised. Does Bill C-15 have to be the government's priority? In my riding, four bars have been blown up, so far. The biker gang wars are on again in Montreal, although some people may be under the illusion that things had calmed down. That is not so. Bars are being blown up. It started in Saint-Henri, and now it has spread to Hochelaga—Maisonneuve. The member for Berthier—Montcalm and myself, along with our colleague, the critic for the solicitor general, have worked very, very hard in parliamentary committee to improve Bill C-95, which has now become Bill C-24.

The bill is not perfect, as we know. At least the offences have been described better. Aggravating circumstances have been added. The definitions are better, so that some people who were not covered in the past now are. With Bill C-24, people at any place in the legal system will be better protected.

We would have liked to have seen the process take a better course than this. There were many other priorities for the government than to bring Bill C-15 before us.

I will make a short digression into the area of health, which is my primary area of responsibility after all. The hon. member for Drummond, who is no hothead, not one to get carried out or to lack judgment—in fact her judgment is very sound when she addressed these issues—made a comment in connection with the bill proposed by the government on the new technologies of assisted reproduction that it has a constant tendency to resort to omnibus bills. It was were not able to immediately propose to us a bill that would have banned cloning for reproductive purposes, as well as for therapeutic purposes.

The opposition has worked hard to help with a problem and a bill like this one. I repeat, why do we have such an ill-conceived bill, one that is likely to implode because of all the contradictions it contains?

We could have had a debate on reproductive technologies, because—let us not forget—there is a legal void at the moment.

It is not unthinkable that a researcher in Italy, Germany, France or anywhere else in the world could arrive in Canada and start playing around with human embryos and end up in a situation where genetic engineering could lead to cloning. Our hands would be totally tied.

• (1640)

As we saw this summer, there is a legal void, because there is nothing in the criminal code to allow the crown to take action on this basis. This is something we could have done.

In closing, I would say the best thing we could do would be to decide to split the bill. The government should act on this request. Once the bill is split, the government could count on the opposition to do its usual responsible and thorough work.

• (1645)

[English]

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Madam Speaker, I thank the hon. member for his intervention. I think there is a surprising measure of agreement here among those of us on this side of the House and I know there is agreement among many on the other side of the House. I had a member from the other side agree with many of the issues that were raised just now.

In my riding people are very concerned about certain aspects of the bill. When we talk about Internet pornography and luring children with the Internet, there is a big measure of concern. Canadians across the country are very concerned about this aspect. They are wondering why the bill has been held up and why it has not gone forward. The issues we have had to bring up again and again in the House are being well illustrated.

We have had terrible examples of home invasions in our own area and I am sure across the country where there is brutality, especially with elderly people who are victimized in their own homes. I think aspects of the bill would find unanimous consent and would pass very quickly in the House, as is well evidenced by speeches on the bill today and earlier.

Disarming of a police officer or attempting to disarm and allegations of miscarriage of justice are all areas worthy of support.

However, as has been mentioned by the hon. member, and I would like to reiterate, concerns have been raised in my riding about animal abuse. We live in a rural community and we have seen some terrible examples of animal abuse by people who are negligent and have not fed their animals or have not looked after pregnant animals. I have seen animals just down the road from where we live that have been neglected. The whole community has been concerned about it. We need to see action to protect the animals. People in my riding have wondered why the legislation has been delayed.

Government Orders

However, when we talk about equating responsibility for animal welfare with animal rights, people in the agriculture industry and in the hunting, farming and fishing communities have a lot of legitimate concerns. The legitimate use of animals is put into question because of questionable wording in the bill and because of the linking of the bill to the Firearms Act and so on.

We agree with a large part of the arguments presented by the hon. member from the Bloc and others in the House that this putting together of so many unrelated issues is just not acceptable for members who cannot vote with good conscience on this issue and support the bill, although there are other aspects that we would wholeheartedly support.

My question for the hon. member is with regard to calls that I have been receiving in my own riding from people who have seen animal abuse and want to know why we have not taken action, and from people who have been concerned about Internet pornography and wonder why we have not taken action. I wonder if in his riding his office has received as many calls as mine and I am sure other members in the House?

[*Translation*]

Mr. Réal Ménard: Madam Speaker, I thank our colleague for his comments. I think I made the bill's incoherence quite clear in my remarks. We must not, however, let it be thought that the government need not act to prevent cruelty to animals.

When we discussed these provisions in caucus, our critic pointed out that reference in the Criminal Code to cruelty to animals dated from the 19th century. It should therefore be brought up to date, with very specific definitions for the matters we are referring to.

Some of my colleagues were concerned by the fact that the definition of cruelty might be incompatible with hunting and fishing activities that are legal today. We must therefore separate what we want to see continue as a recreational activity from the offences we want to see applied to those who mistreat our animals.

We therefore support the idea that animals are not just possessions. We have concerns that relate to the major animal protection agencies that want clearly identified punishment for inflicting pain on animals.

Our colleague also pointed out the importance of the whole issue of sexual exploitation through a new medium—the Internet.

In fact, there was a ruling in British Columbia. Unless I am mistaken, the hon. member is from British Columbia. We know this is not an issue related to freedom of expression. We cannot accept that a medium such as this one allows for the exploitation of children, for indecent pictures, for pictures that are totally incompatible with the moral values that we wish to implement and promote in our society. It is important not only to tighten controls, but also offences related to such practices.

We are concerned about this issue. We want to do things right. Again, we would have liked to have two, three or four bills, so that each one would have been debated based on its own merits and relevance.

• (1650)

[*English*]

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Madam Speaker, I have a question, which I will preface with a couple of comments.

When I spoke earlier today of a hidden agenda, I was referring to a part in the bill which says that if a person has a pheasant in captivity and the person releases it into a field of corn for the purposes of hunting, that would be illegal. I believe that provision is still in the bill. That would substantiate the point I made about there being a hidden agenda behind the bill.

I was a member of the mounted police at one time. I am mentioning this because it is pertinent to the debate. Legislation that I and other policemen have used to prosecute people for cruelty to animals has always been in existence. The only problem we had was whether the provincial crown prosecutor was willing to prosecute the case in court. Of course that was something out of the hands of the police, but the law was there.

The deficiency in the law was that the penalty was very light and the sentencing by the courts was very light.

My question for my colleague is twofold. Does he believe there is a hidden agenda in this legislation? Does he believe the penalties could have been toughened in the existing criminal code? When it comes to the livestock industry, does he not believe the section which gives legal justification for animal husbandry and putting an ear tag in an animal's ear should be transposed into the new legislation?

[*Translation*]

Mr. Réal Ménard: Madam Speaker, these are fairly specific questions and I consider it a pleasure to answer them to the best of my knowledge.

We are dealing with a system of hybrid offences, with sentences ranging from a maximum of five years in prison to 18 months. Keeping in mind that I am not an expert in sentencing, this appears quite normal to me, given that the circumstances may vary. I do not believe, therefore, that the Bloc Québécois would go to great lengths to oppose the proposed sentencing system, however, the need to split the bill is quite a different matter.

As regards the second part of our colleague's question, as to whether or not the government has a hidden agenda, obviously, the government is not always clear and lucid in its ideas. As we all know, we are dealing with a government that is rather opaque when it comes to ideas.

I am prepared to assume that good faith is presumed, and bad faith should be proven. I do not wish, at this point, to suggest that the government has a hidden agenda. However, tabling a bill in this manner, which combines a variety of different issues which are each quite different one from the other, creates confusion, which does not speak well of the government.

Government Orders

•(1655)

[English]

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Madam Speaker, the federal justice minister has assured the House of Commons by saying “what is lawful today in the course of legitimate activities would be lawful when the bill receives royal assent”. However, justice ministers come and go. Does the hon. member think this would always be the case for any justice minister?

[Translation]

Mr. Réal Ménard: Madam Speaker, I did not fully understand the question, however, I may be able to answer it at a later sitting. I did not really understand the meaning of the question; I am sorry.

The Acting Speaker (Ms. Bakopanos): Since we have a bit of time, the member may repeat his question if he wishes.

[English]

Mr. Larry Spencer: Yes, Madam Speaker. The minister said that what is lawful today would remain lawful when the bill receives royal assent.

If there is a change of justice ministers, would that minister still agree that what was lawful when this is passed would still be lawful five or 10 years from now?

[Translation]

Mr. Réal Ménard: Madam Speaker, I am getting the subliminal message that all members of the House would like to see a cabinet shuffle before the end of the session.

[English]

Mr. Deepak Ohrai (Calgary East, Canadian Alliance): Madam Speaker, it is a pleasure to see you back in the chair. I hope you had a good summer holiday. What puzzles me is simple. Government members were members of the opposition prior to 1993. They know how important a role the opposition plays in a democracy.

Those members have actual experience at being in the opposition. Those members stood in this place and held the government accountable. We can quote *Hansard* time after time to indicate what they said was important for democracy. What puzzles me is that, now they are on the other side, whatever they said while they were on this side has gone out the window. It is amazing that when they were in opposition they were pointing to weaknesses in our democracy. They are ignoring their own advice now that they are on the other side.

Many people listening to the debate may be wondering what we are talking about with regard to this omnibus bill. If I were listening to this debate I would have to ask myself the same. What exactly is the issue? Let me state this in plain and simple terms so people can understand what we are saying.

The government has brought in a bill containing a number of virtually unrelated justice issues that have been lumped into one piece of legislation. It makes it extremely difficult to debate these issues that are important to Canadians. They cannot be brushed aside. This is not a housekeeping bill.

I will talk about some of the issues. Child luring and child pornography over the Internet are extremely important issues, considering what is happening with the Internet. It is accessible to a huge number of people. This is a new menace which needs to be controlled and discussed at length.

The issue of animal cruelty is included in the bill. I have received a huge number of postcards from people regarding the pros and cons of what is considered animal cruelty. I am sure every MP has received a huge number of letters from people concerned about the issue. Canadians living in rural regions who deal with animals on a day to day basis have a different perspective because their living depends on it. They want more clarification so they do not break the law.

My colleague, the most senior member in the Canadian Alliance caucus and probably in the House, talked about shooting squirrels and sitting in jail for a long period of time. I hope it does not come to that. He was trying to illustrate the simple point that the bill did not have a lot of clarity.

The bill also contains amendments to the Firearms Act, Bill C-68, which is a totally different subject altogether. Criminal harassment is also contained in the bill, as is the issue of disarming a police officer. This is a very serious issue that we need to discuss to see what punishment should be given and what criminal procedure should be followed. This legislation needs a lot of discussion.

•(1700)

We are discussing many issues that are contained in one bill. We are saying that we cannot have a proper debate on all these important issues because members of parliament are not able to speak about the concerns of their constituents.

This is a bill drafted by bureaucrats who wanted it passed. They should not have sent it to the House of Commons. They should have done it under regulations. The bill does not have the input of the representatives of the people of Canada. It has the writings of the bureaucrats who do not represent the elected people of Canada. Bureaucrats do not get feedback from the people; elected representatives do.

I have been the CIDA critic and I know the government spends millions of dollars in bringing people from fledgling democracies to Canada to show them how democracy works. Over the period of 100 years this Chamber has built itself into a very respectable place where we debate issues. However when bills such as this one are introduced, democratic rights are trampled.

What is democracy? Democracy is where a government is accountable on issues of the day. It is the right of Canadians to speak through their elected representatives who sit in the House.

Then we get something like this, an omnibus bill written by bureaucrats, where we cannot discuss the issues in more depth to present the views of all Canadians. We have a big, diverse country containing diverse views. The government likes to use the word diversity and how it is the defender of diversity. Diversity also includes the points of view from coast to coast to coast, from urban to rural areas.

Government Orders

We do not have the opportunity of doing that because everything is lumped together in the bill and by 5.30 p.m. it will be all over. It will be pushed through.

The bill was written by bureaucrats who sit in Ottawa and do not represent the diversity of Canada. Members of parliament represent those diverse views.

When speaking to people who have come to see democracy in action, I have said that we have to be vigilant not to let the rights of the opposition be eroded because that right is the right of the people to hold a government accountable. When that erosion happens then we have to speak. Bill C-15 is an example of that.

Many members on the other side have also recognized that. When they were in opposition they understood the important role of the opposition. They too are saying that they see the danger and warning signals in Bill C-15. However they cannot say anything. Nevertheless they do have concern.

There are currently five members of the government here. In the last one and a half hours I have been sitting in the Chamber I have not even seen one of them stand.

• (1705)

The Acting Speaker (Ms. Bakopanos): I remind the hon. member that we do not mention the absence or presence of members in the House.

Mr. Deepak Ohrai: Madam Speaker, I will not mention it. However nobody has defended the government's point of view. We were hoping there would be a far more aggressive defence regarding this democratic issue and that someone could explain why everything is lumped in one bill.

Child luring and child pornography are important issues today. They are issues because of the explosion of the Internet around the world. People are taking advantage of it so we must be vigilant. Our constituents have written to us because they are concerned. We support legislation dealing with those issues.

Animal cruelty is something we cannot support as it stands right now because we need more clarification and debate. The bill should be an effective bill and not a bill with gaping holes which at the end of the day does not fulfill its mandate.

During the debate on the unfortunate incidents that took place in America we pointed out the gaping holes that exist in the immigration legislation. I heard the minister of immigration say on television that she was looking at filling those gaping holes. However there are still gaping holes in the immigration legislation that need to be looked at.

What will be the outcome of this omnibus bill? We will have the same situation. Why could it not have been done right in the first place with separate bills? It is because the government does not have an agenda.

If we look at the long term calendar there is nothing much on the agenda. There is no vision, no strong initiatives. The government is on cruise control as far as I am concerned. Then, what is the urgency for putting everything into one bill?

We have many questions regarding the Firearms Act and about the amount of money the government has spent on the registration fiasco we keep hearing about from constituents. My constituents have phoned me many times and described the big fiasco and the difficulties they are having. Technically many of them have already broken the law because of the inability to register their guns.

These are the things that we need to talk out. Is the government so afraid of its own legislation that it needs to go through the back door to pass legislation?

Disarming a peace officer is a very serious crime. We heard from police officers about the need for and the importance of this legislation. Many of the members on that side will not have done their job if they vote for this bill because in reference to the Firearms Act they have ignored what their constituents were saying to them.

The bill is the beginning of an erosion of the democratic right of Canadians and the opposition. The government is using its muscle and Canada is becoming a dictatorship under one party rule.

• (1710)

At this given time, the bill is being rammed through without proper input of the Canadian people. The Liberals may have the majority, but at least we have had time to talk about each and every point and discuss it properly, not have unrelated justice issues. If this goes through, how many other omnibus bills will come forward? We do not know. Any time the government has an unpopular bill, it wants to send it through without debate. Do ministers want to leave a legacy, even though Canadians do not want it?

How can we stop an omnibus bill? Right now, and like my colleague said, we are appealing to the government to think for a moment. Government members were in opposition. They know the importance of the opposition, of holding the government accountable, of having debate on issues and bringing all the points forward. They can do this by withdrawing the bill and bringing it back in stages for proper discussion.

What will we tell our friends who we bring to Canada to see how our democracy works? If we showed them this bill and told them what happened, even they would scratch their heads and say that something is wrong. Why spend millions of dollars promoting democracy? We should also live by example.

In conclusion, the bill has been drafted by the bureaucrats with an intention of getting all the points in without serious debate because they think they know right and they expect the representatives of the Canadian public to rubber stamp it. That is what the bill is all about.

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, once again that was a fine speech and contribution to the debate in parliament. I spoke earlier about a hidden agenda, which to me really means a government is trying to accomplish an objective through indirect means.

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I will not go back into legislation over the course of the last few years, but the legislation in Bill C-15 in regard to animal cruelty would still make it illegal to have pheasants in captivity and release them into a cornfield for the purposes of hunting. There is no difference between hunting a pheasant that has been released and one that happens to just walk by in the cornfield.

We have the issues of the cost of federal and provincial licences with regard to hunting, the cost of registering firearms, the cost of getting permits to possess the firearms, the cost of driving out to a hunting area and the cost of having some food and whatever else. It is becoming such a hassle to be a hunter and, as a result, we find many people are no longer taking up the sport because of all these impediments.

The hidden agenda of the anti-hunting and animal rights lobby group, which the government listened to with the legislation, is to stop any use of animals by humans for food. They are trying to totally disarm Canadians because as people give up hunting they do not have a need for firearms and do not want to spend money for a licence.

Bill C-15 is one more step in the hidden agenda of disarming the Canadian population by making it illegal to hunt captive animals. The definition of animals will possibly allow for the prosecution of a farmer who does a normal thing like putting an ear tag in a cow because it requires punching a hole in the ear which causes a moment of pain.

Could the hon. member comment on that and, in particular, does he believe there is a hidden agenda in the bill?

• (1715)

Mr. Deepak Obhrai: Mr. Speaker, I will to illustrate a point. My colleague is from a rural community. He knows the impact of this bill. I am from an urban community. I do not know about tagging cows' ears, branding or anything like that. My colleague knows these things.

If this omnibus bill was broken down, we then would have an opportunity to discuss the points he is talking about; the fees, the hunting issues, et cetera.

Right now what do we discuss? Do we discuss Internet child pornography and how tough it will be or are we going to discuss animal cruelty issues, knowing the tugs, the pulls and the different views between the urban and rural communities in Canada? They all need to have input in this bill. However, this is an omnibus bill and, yes, it has a hidden agenda.

As I said in my speech, this has been designed by the bureaucrats in a way that they feel is important, perhaps under the pressure of 10 or 15 NGOs or self-lobbying interest groups, but they have not heard from all Canadians.

The Canadian voice is this parliament. That is what democracy is. If we look around the House, there are members from rural and urban communities. That is exactly the voice we need for balanced legislation that takes into account the interest of every Canadian.

My colleague is absolutely right. There is a hidden agenda which was designed by bureaucrats and put before us without regard to all the debate on the issues.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, we have a big industry in Saskatchewan which is sponsored by the largest conservationist group that I know of, and that is the Saskatchewan Wildlife Federation. That organization is irate with the bill.

One reason for that is that it hatches and releases thousands of pheasants. This bill and the animal rights people want to stop that. They want to deny us the pheasant under glass, which I enjoy. They want to deny us hunting. They want to stop all the ways in which people have enjoyed this heritage and tradition. This bill will destroy that.

As a member of parliament, I want to preserve the heritage of the east and west coast fisheries and so on. However, I am also very concerned about preserving my own heritage. This bill destroys it.

Could the hon. member comment on this because the destruction of our heritage is a national issue?

• (1720)

Mr. Deepak Obhrai: Mr. Speaker, as usual my colleague illustrated with eloquence the problems of the bill, and that is lumping animal cruelty with child pornography on the Internet. How are these connected? Only the government and its bureaucrats are able to understand the connection. However, he raises some points and would like to debate those.

The hon. member pointed out the flaws in the animal cruelty section. He pointed out that there were few opportunities to discuss these things. He would like to vote against it because he wants to preserve the heritage. That is important for him. It is his democratic right to oppose it. However, he wants to support the child pornography laws because he feels they are very important. He has no idea which way to go. That is what is wrong with the bill.

I will finish by saying this it amazes me. The Liberals were the opposition. They know the importance of opposition. They have been here since 1988.

An hon. member: Since 1967.

Mr. Deepak Obhrai: I mean this crowd and the current Prime Minister.

They know how important it is for the opposition to hold the government accountable. Perhaps somewhere down the line they will understand. If not, hopefully they will be back in the opposition very quickly.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, before commenting on Bill C-15, I would like to remind the House of the geographic situation of my riding of Argenteuil—Papineau—Mirabel, which is the only riding located between two metropolitan communities, those being Montreal and the Outaouais, further to the west.

Fifty per cent of the riding is farmland, and 50% is covered by forests, mountains and lakes. We may therefore consider ourselves to be part of the refrigerator for the urban sector of Montreal and the Outaouais and, at the same time, the playground for these same sectors.

We therefore understand that a bill such as Bill C-15 has a direct impact on us, not because we are not aware that it could and will address some very important problems.

When we talk about child pornography, the sexual exploitation of children, home invasions, and creating an offence for disarming, or attempting to disarm, a peace officer, we can only be in favour of this part of the bill.

This is an omnibus bill. To use a more down to earth term for those who are listening to us, it is a “catch-all”. In other words, the same document includes amendments that are all very important, taken individually, but when lumped together into one document, can lead to great confusion. That is what we are trying to get across to the Liberal members, to the ministers and to the Prime Minister.

What we are saying is that, as far as animal cruelty is concerned, we have some serious problems with the definition of the term “animal” and the definition of what constitutes cruelty to animals.

So that everyone will understand properly, the definition is a broad one, and reads this way:

“animal” means a vertebrate, other than a human being, and any other animal that has the capacity to feel pain

The term animal is used in order to focus the bill, and as well offences are created which involve prison sentences. The list of offences reads as follows:

182.2 (1) Every one commits an offence who...

c) kills an animal without lawful excuse;

d) without lawful excuse, poisons an animal, places poison in such a position that it may easily be consumed by an animal...

For the farmers of Argenteuil—Papineau—Mirabel, this is a far too broad definition and a category of offences which makes the mere act of being a farmer and raising animals for meat liable to lead to criminal charges.

This does not include vermin. If a farmer has a large amount of land, if he is lucky enough to have it, then there will be vermin, rodents. If a person wants to get rid of them, he might be accused of a criminal act.

This has led a number of the hon. members who have spoken against this bill in this House to say that, while favourable to a large part of this bill, there is the whole matter of animal cruelty. It would therefore be advisable for this matter to be referred to committee, where it can be discussed so that no farmer in my riding, or anywhere in Quebec or in Canada, is liable to be charged for earning a living in the most honourable activity of farming.

● (1725)

We could add to this that the hunting and fishing associations dotting our province—I repeat, we are part of the Montreal metropolitan and the Outaouais metropolitan communities—have suffered serious indirect effects in connection with amendments, gun registration and so on.

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In addition, hunters and fishers merely enjoying their sport, fishing and killing a fish without a legitimate excuse, or letting it live, not killing it directly or immediately, could be liable to face immediate criminal proceedings.

Obviously, the government will understand that this situation, this “catch-all” bill as I have named it, includes a variety of laws, that are quite acceptable. The people of the riding of Argenteuil—Papineau—Mirabel agree with changes to the provisions on protecting children against sexual exploitation, protecting children against sexual harassment, additional protection that would make those who disarm peace officers liable to face greater penalty, or protection against home invasions.

The people of Argenteuil—Papineau—Mirabel would support, they would pass a bill on this, and on their behalf, I would be prepared to pass such a bill. However, as far as we are concerned, the whole matter of cruelty to animals should not be included in the same bill. Protection of children against sexual harassment and cruelty to animals are two matters that must be totally separate. The bill must be divided, split.

* * *

● (1730)

[English]

BUSINESS OF THE HOUSE

The Acting Speaker (Ms. Bakopanos): I have received notice from the hon. member for Vancouver East that she is unable to move her motion during private members' hour on Friday, September 21. It has not been possible to arrange an exchange of positions in the order of precedence. Accordingly I am directing the table officers to drop the item of business to the bottom of the order of precedence.

[Translation]

Private members' hour will be suspended, and the House will proceed with the business before it.

It being 5.30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

Mrs. Bev Desjarlais (Churchill, NDP) moved that Bill C-284, an act to amend the Criminal Code (offences by corporations, directors and officers), be read the second time and referred to a committee.

Business of the House

She said: Madam Speaker, I rise today to begin the debate on Bill C-284, an act to amend the Criminal Code of Canada concerning offences by corporations, directors and officers.

The bill has been a long time coming before parliament and has been known by many names: the corporate responsibility act; the workplace safety act; the corporate manslaughter act; and the corporate killing act. However most people still call it by its original name, the Westray act.

People call it the Westray act in reference to the tragic Westray mine disaster in Stellarton, Nova Scotia on May 9, 1992. On that day 26 miners died when a methane gas explosion tore through the Westray mine. Those 26 deaths, like so many deaths and injuries that occur in the workplace, could have been prevented were it not for the company management practices that deliberately and systematically refused to comply with health and safety regulations.

Mr. Justice Richard's inquest into the Westray mine disaster was very clear on this point. It was the wilful decision of the mine managers to ignore and indeed encourage violations of safety regulations that led to the fatal gas explosion. The miners themselves tried to complain about the unsafe working conditions but their complaints were ignored and they were threatened with dismissal unless they kept quiet.

The Westray case exposed a major hole in our criminal law system which the bill addresses. Right now the law simply does not allow our justice system to hold company managers criminally accountable when they show the kind of heinous disregard for human life shown by the Westray mine managers. The bill amends the Criminal Code of Canada and creates new provisions to hold corporations, their directors and managers accountable in such cases.

The Westray tragedy has been called the worst case of corporate mass murder in Canadian history. It has even been the subject of an acclaimed National Film Board documentary which was screened last week at the Toronto International Film Festival. Yet despite all this, not a single criminal charge could be laid against the managers who were responsible for what happened. Local crown attorneys tried to lay charges but concluded that they could not get a conviction under existing laws.

In the report from his inquest, Mr. Justice Richard wrote that this was a weakness in our system that should not be allowed to exist. He went on to recommend that:

The Government of Canada, through the Department of Justice, should institute a study of the accountability of corporate executives and directors for the wrongful or negligent acts of the corporation and should introduce in the Parliament of Canada such amendments to legislation as are necessary to ensure that corporate executives and directors are held properly accountable for workplace safety.

Unfortunately the government so far has not responded to this recommendation. I am sure that this lack of response is what prompted the hon. member for Pictou—Antigonish—Guysborough to introduce Motion No. 79 in the last parliament. His motion reads as follows:

That, in the opinion of this House, the Criminal Code or other appropriate federal statutes should be amended, after consideration by the Standing Committee on Justice and Human Rights, in accordance with recommendation 73 of the province of Nova Scotia's public inquiry into the Westray disaster, specifically with the goal of ensuring that corporate executives and directors are held properly accountable for workplace safety.

I commend the hon. member for Pictou—Antigonish—Guysborough whose constituency includes the town of Stellarton, home of the Westray mine, for his tremendous work on the motion in the last parliament. Thanks in large part to his efforts, it was made votable and passed in the House on March 21, 2000.

While Motion No. 79 was working its way through parliament, the hon. member for Halifax, who is also the leader of the New Democratic Party, was also working very hard on the issue. She introduced private members' Bill C-259 to amend the criminal code as recommended by Mr. Justice Richard. I am proud that I had the honour of seconding that bill. When Motion No. 79 made its way to the justice committee after being passed by the House, the justice committee considered both the motion and Bill C-259 and issued a unanimous report which recommended the following:

That the Minister of Justice and the Department of Justice bring forward proposed legislation in accordance with Motion 79, agreed to by the House on March 21, 2000 and the principles underlined in Bill C-259 for consideration by the Standing Committee on Justice and Human Rights.

● (1735)

The government had 60 days to respond. Unfortunately before this time limit had elapsed the Prime Minister dissolved parliament for the general election and both the hon. member for Halifax's bill and the hon. member for Pictou—Antigonish—Guysborough's motion died on the order paper without resolution. What did not die, however, was the urgency of the issue and the determination of those of us who believe passionately in workplace safety to close this huge loophole in the criminal code. That is why, following the election, the hon. member for Halifax resubmitted her bill and I introduced my own version of it as well, with higher fines.

This issue is very important to me personally and to my constituents in the Churchill riding where many people are employed in heavy resource industries like mining and forestry, where health and safety is literally a matter of life and death.

Injury and death on the job is an ongoing problem in Canada. The statistics are shocking. On an average work day three Canadians are killed on the job.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Madam Speaker, I rise on a point of order. First I would like to apologize to the hon. member for interrupting her speech. There was an all party agreement earlier today in which I inadvertently forgot to add a few words. Other parties were consulted and they all agreed. Nobody else saw it.

I would like to add to the motion that I presented earlier today about the debate this evening, by taking the motion that is there and adding the following, to which I invite colleagues to pay close attention. I want to ensure that this is the collective will. At the end of the motion that I put we would add the following words:

and during the said debate no member shall speak more than once, nor for more than 10 minutes.

The Acting Speaker (Ms. Bakopanos): The House has heard the terms of the motion. Is that agreed?

Mr. Jay Hill (Prince George—Peace River, PC/DR): Madam Speaker, I always understood that committee of the whole allowed some back and forth debate and if we are to be limited to 10 minute speeches like we are at report stage, my understanding is that there would be no back and forth debate. Nobody could enter into debate more than once and we could not pose any questions in reality, because that person we may want to question would have already spoken. That is my concern about this format. It seems more like report stage than committee of the whole.

The Acting Speaker (Ms. Bakopanos): Perhaps the government House leader would like to clarify.

Hon. Don Boudria: Madam Speaker, the hon. member is of course quite correct in saying that this would not have questions or comments. That is quite true, but that is what we agreed to. I am prepared to correct the motion to reflect the agreement we made. The reason it was made that way was to allow as many members as possible during the time period to make their contribution so that the Prime Minister would have those contributions available to him for his visit with the president. This is not something that I requested. This is generated by opposition members and I am only trying to ensure that the motion is exactly what we agreed to. That is all. If not, I am okay with it the way it is.

• (1740)

The Acting Speaker (Ms. Bakopanos): Is that agreed?

Some hon. members: Agreed.

(Motion agreed to)

* * *

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-284, an act to amend the Criminal Code (offences by corporations, directors and officers), be read the second time and referred to a committee.

Mrs. Bev Desjarlais (Churchill, NDP): Madam Speaker, in the spirit of co-operation shown in the House in recent days, I had no problem with the interruption.

As I was saying, what did not die, however, was the urgency of this issue and the determination of those of us who believe passionately in workplace safety to close this huge loophole in the criminal code. That is why, following the election, the hon. member for Halifax resubmitted her bill and I introduced my own version of it as well with higher fines.

The issue is very important to me personally and to my constituents in the Churchill riding where many people are employed in the heavy resource industries like mining and forestry, where health and safety is literally a matter of life and death.

Injury and death on the job is an ongoing problem in Canada. The statistics are shocking. On an average workday, three Canadians are killed on the job. That is three fathers or mothers, husbands or wives, sons or daughters, who do not come home to their loved ones. On

Private Members' Business

top of those deaths, a Canadian gets injured on the job an average of every nine seconds. That means that in 15 minutes 100 Canadians are injured at work. It all adds up to over a million workplace injuries a year. It is staggering.

Of course not all or even most of these deaths and injuries are necessarily the result of misconduct by management, like they were in the case of the Westray mine. I do not mean to suggest that every time a worker gets killed or injured on the job the boss should face criminal charges. The bill is only meant to address those cases where an employer or manager wilfully violates reasonable standards of conduct and safety.

If we think these sorts of infractions are rare, that is not the case. Unfortunately there is an ever growing list of deaths and injuries on the job that have happened even since the Westray disaster and which negligent or irresponsible management practices have been found to have caused. As recently as last month in Trail, British Columbia it was learned that officials at Teck Cominco Metals Limited knew that conditions in their smelter were exposing their workers to toxic levels of the chemical thallium, but did not tell anyone and allowed people to continue working in those conditions. They only admitted there was a problem after people started getting ill. Thallium was used as rat poison until it was banned 20 years ago. It is absorbed through the skin and causes nerve damage, kidney damage and blindness.

Responsible managers would have pulled their employees out of the situation as soon as they learned there was a problem. It is impossible to know for sure how many people are now facing severe long term health problems because of gross misconduct by this company.

Another example I want to touch on happened earlier this year in Nova Scotia. This was another tragic case and I think it really makes the point as to why the bill is so important. Truck driver Allan MacLean of Thorburn, Nova Scotia was killed after the brakes on his rig gave out. An inquest found that his managers knew that the vehicle needed brake work, but sent Mr. MacLean out on the road in it anyway. If I knew that my car had brake problems but did not say anything and knowingly let my neighbour drive it who then died because of the brakes giving out, I would be guilty of manslaughter. However, because this man was at work and it was his boss who sent him out in a truck with bad brakes, it was not manslaughter; it was a health and safety violation. Instead of the responsible individual going to jail, the company got a \$50,000 fine.

Is that what a man's life is worth? I do not think so. That is why we need the bill, to move this from the realm of health and safety law to criminal law, because when one knowingly and recklessly endangers another person's life, it should be a crime.

Private Members' Business

I could point to more examples, but the time is short. I would like to acknowledge and thank the injured workers, their families and the families of the workers who were killed on the job who have come here to the House of Commons to watch the debate from the gallery and are representing the thousands of injured workers and others from across the country who have been calling for the changes contained in the bill. Each of them has a story of their own, a personal reason why they support the bill. It is important that we as parliamentarians, as legislators of this land, listen to them and ensure that in the future justice is served.

I have been speaking about the bill to a number of members of parliament from all parties. I am encouraged to see the support in principle that the bill received in the last parliament when we passed Motion No. 79 and when the justice committee unanimously endorsed the bill in principle. That support still seems to be there.

• (1745)

I also recognize that a few members of parliament have told me that they support the bill in principle, but they have expressed technical concerns about some specific aspects of it. I would like to assure all hon. members that I am open to whatever amendments they may wish to propose at the justice committee or at report stage to improve the bill.

This legislation has been a cross-partisan effort from the beginning. I know that the NDP justice critic, the hon. member for Winnipeg—Transcona, and I are both eager to work closely in committee with members from the government and all political parties to improve the bill where it can be improved.

I would also like to remind those hon. members who have said they support the principle of the bill but have legitimate technical concerns that it is at second reading of a bill that we vote in principle. I ask all members of the House to show their support in principle by supporting the bill at second reading so that we can work together at the committee stage in a spirit of non-partisanship to make this the best piece of legislation it can possibly be.

Injured workers and their families, the families of workers who were killed, the families of the Westray victims and all Canadians who worry about their safety at work deserve no less from us than for us to put aside our partisan differences and make a real effort to work together on this fundamentally important bill.

I want to point out that there are those who feel that the aspect of a corporate manslaughter bill or of holding corporations responsible for manslaughter or murder is something new and strange. I am pleased to say that it is not just Canada that is looking at this issue and I will comment on a couple of instances.

First, the United Kingdom has actually worked on a corporate homicide act. Its act came about as a result of 400 people being injured and 31 being killed in a train crash. It was found that the corporation was responsible. Therefore a corporate homicide act was brought forth within the U.K.

Not along the line of workers being killed but along the lines of corporate manslaughter and corporate murder, many of us will remember the ValuJet crash in Florida in 1999 in which 110 passengers were killed. The company that had been putting hazardous goods on the plane was held responsible. Initially the

workers who were told by their managers to put the hazardous goods on the plane were to be charged with the murders.

I have followed this over the last couple of years and I was pleased to find that the workers were not held accountable, but what is taking place in the state of Florida is that it is proceeding with murder and manslaughter charges against the corporation for the actions it took that caused those deaths.

Once again, corporate manslaughter is not something that is new to Canada. I am happy to say it is something that countries are looking at because it is not acceptable that corporations, in the name of making profit, can put the lives of workers or the public at risk.

As I said during my speech there was limited time so I did not want to get into all the instances of different cases that had happened, but in the province of Ontario there was one situation where a man was crushed by a machine in his workplace. I want to point out what his wife, Tammy Dann, had to say:

It's murder. (The company) knew it wasn't safe and they get away with a fine.

It is murder. It is murder when someone's life is knowingly put at risk. We accept in our country that managers and directors in workplaces have control over the workers to the point that in sexual harassment cases we hold them seriously accountable because the workers are controlled by those bosses. They are controlled because they need that income to support their families or controlled because often those people are in a vulnerable position. That is the situation in so many workplaces.

• (1750)

We often see situations where we expect a worker to go out and do a worker's job. The bottom line is that they are vulnerable. They are vulnerable to the directions of managers and directors. If their lives are put at risk or lost, those managers and directors, if they act irresponsibly, should be held accountable.

Justice Richard's Westray mine public inquiry report was entitled "A Predictable Path to Disaster". This was no little two day inquiry into what happened. This was a long drawn out inquiry to sort out exactly what happened. It was found that our criminal justice system was lacking. It should not be up to provincial workplace health and safety laws. It should be up to the Parliament of Canada to bring forth criminal laws so that murderers and persons who commit manslaughter in the workplace are held accountable.

[Translation]

Ms. Monique Guay (Laurentides, BQ): Madam Speaker, I hope more colleagues will be interested in this very important matter.

Before I get into the gist of my speech, I take this opportunity to tell men, women and children who lost loved ones in New York or Washington that our thoughts are with them, and that the thoughts and the prayers of people in my riding of Laurentides are with them.

To start with, we agree with the principle of the bill I said to my friend from Churchill it is time we brought major changes.

Private Members' Business

In the context of Bill C-284, it bears repeating because we need some background, we know that other members introduced bills that did not make it to third reading and were dropped from the order paper.

I hope that this one will make it, that we will be able to discuss it fully and to amend it as needed, and also that we will get unanimous support to bring about major changes.

As everyone knows, or will know, on May 9, 1992, an explosion at the Westray mine, in Nova Scotia, killed 26 miners.

Then, on May 15, Mr. Justice Peter Richard was appointed by the Nova Scotia government, under the Public Inquiry Act of Nova Scotia, to head a public inquiry into the circumstances of this tragedy.

In November 1997, Commissioner Richard released a 650 page report and this is no short story, which includes, among other things, findings on the criminal responsibility of Curragh Resources Inc., the company responsible for the operation of the Westray mine, and of its management. This very important report confirmed that the company was guilty, but it came out of this pretty well unscathed.

There is a problem with our legislation. I will talk about the Canada Labour Code, because I worked with it and I am sure the hon. member knows about this.

I had proposed major amendments to part II of the Canada Labour Code, which deals with health and safety in the workplace, to impose stiffer penalties on companies when negligence was involved, or when a company was charged. We had also proposed to increase fines and jail terms rather significantly. This was under clause 14 of Bill C-12, and I can provide a copy to the hon. member for Churchill so she can take a look at it.

We had put so much hope in all this, we had worked relentlessly to significantly improve the part on health and safety in the workplace. It had already been ten years since that part of the legislation had last been reviewed. We had proposed major amendments, including amendments to protect women in the workplace. None of our amendments were accepted. At the time, during the last parliament, the political will was not there. I hope the government will be more serious and positive regarding the bill introduced by the hon. member for Churchill.

A great deal of work was done and this should be pointed out, because it was not negligible, by the hon. member for Pictou—Antigonish—Guysborough. He tabled a motion that also died on the order paper when the House prorogued. His was a very important motion, which also sought to review the criminal code. It would have been reviewed by the Standing Committee on Justice and Human Rights and it sought to allow the amendment of a recommendation to ensure the protection of people and make sure that such a tragedy never happened again.

I believe the hon. member had almost managed to get unanimity, but we never knew the government's position, because consideration of the motion was never completed.

● (1755)

As I said earlier, we on this side are obviously in agreement with the bill's principle, but there is the whole issue of amendments we might wish to make—I do not know which yet, I will be talking with my colleague—because there are provinces, including Nova Scotia, for example, which at the time was not particularly well protected by provincial legislation for mine employees.

In some provinces, work is already being done. It is serious work. In Quebec, with the CSST, we protect our employees. It is not perfect, but we in Quebec already have a very good system, which is working very well. Care must be taken not to penalize people who are already doing their job well, not to penalize a government that already has plans and is doing an extraordinary job with its employees and its employers. We already have a tribunal that can hand down rulings against companies that are not doing their job well. We can also fine them.

We have all this in Quebec and I am a bit worried. Will this bill interfere in our jurisdiction? If so, we will have to make the necessary amendments. If not, so much the better.

I would like to point out, and this is not just to mention the fine work we are doing in Quebec, but when one does something well, one should say so, that lately the CSST has been running a wonderful prevention campaign on television. Of course, when we watch these images and ads, paid for by the government and the CSST, showing a woman falling and injuring herself, or a man who, through carelessness, seriously injures his arm, it makes for some hard viewing, but it is what happens.

As my colleague pointed out, there is a work accident every nine seconds. It is therefore essential that people be made aware, and work remains to be done. I know that we are doing that work now. So far, I have seen a few ads. I hope that this will continue in Quebec and that it will serve as an example to other levels of government, to other provinces, that they will use this form of prevention because it is wonderful, and that we can use it to bring the message home to the public and to businesses. Businesses have responsibilities and they must not shirk them.

We obviously need to tighten certain rules. As I was saying earlier, we have tried and I have personally tried, through Bill C-12 dealing with health and safety, to include preventive withdrawal for pregnant or nursing women. This is an issue that I feel very strongly about. I introduced a bill on the subject, but it did not go all the way. I have another one coming and I hope the government will take it into account.

Quebec has been protecting pregnant or nursing women for a very long time. They have access to preventive withdrawal without being penalized financially, something that does not exist under the federal system. Women who cannot afford to live on employment insurance benefits that would cut their income in half will keep on working in conditions that may be hazardous to their unborn child or to the child they are nursing.

Private Members' Business

The federal government must change its mentality with regard to this issue. It is so sad to see, in the same building, two female employees, one working under federal jurisdiction and the other working under provincial jurisdiction, who do not have the same rights. We need to modernize our federal legislation and we must be able to make amendments that are not costly. We are not talking about huge costs here. I will even be able to give specific figures when we study the bill.

My heart goes out to all those who lost a loved one among these 26 miners who had to work in difficult conditions. Need I remind members that working in a mine is working in the dark. Their quality of life is just as bad as the quality of the air they breathe. My heart goes out to those families.

I hope that, in the end, those responsible for this tragedy will be made to pay. As legislators, we will bring in legislation to ensure that these people, as well as their families, are protected.

●(1800)

[English]

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, I am pleased to rise today to discuss the bill, an act to amend the criminal code, offences by corporations, directors and officers, I thank the member for Churchill for bringing the bill forward.

The incident that took place in Westray, Nova Scotia a number of years ago in which 26 miners were killed in an accident resulted from gross negligence on the part of managers, directors and workplace inspectors. It was a tragedy that should never have happened. Therefore, I think it is appropriate that we have this discussion to determine whether that action on the part of the corporation and its directors in fact should result in the criminal penalties being proposed here.

The inquiry released in November 1997 by Mr. Justice Peter Richard made the recommendation for the federal government to institute a study of the accountability of corporate executives and directors for the wrongful or negligent acts of the corporations and suggested that the government introduce amendments to ensure that corporate executives and directors are held accountable for workplace safety.

As was indicated earlier, I understand that both the leader of the New Democratic Party and the member for Pictou—Antigonish—Guysborough brought forth bills and motions in respect of this issue. I also understand that last year the Standing Committee on Justice and Human Rights unanimously passed a motion to examine this subject further and to pass legislation in keeping with the principle of these bills and motions which called for Justice Richard's recommendations to be duly considered by the House.

I fully concur that the issue of negligence on the part of corporations in providing safe working conditions for employees must be addressed in the House. I agree that it is not sufficient that we simply have provincial legislation in this area. However, I would at the same time caution members of the House against passing legislation that may be legally flawed.

While the motivation behind the bill and its predecessors are obviously well intentioned and I think strive to meet an existing need, the implications of these criminal code amendments could be

immense. That is why we need to be careful in the context of our constitutional framework to ensure that they do in fact comply with the requirements of our constitution.

In the discussion on the bill, it must be remembered that one of the principal reasons that businesses choose to incorporate in the first place is to protect its shareholders and directors from personal liability arising from the activities of the business. I am not suggesting that simply because individuals have arranged their affairs in such a way as to avoid personal responsibility that should excuse criminal conduct. Not at all. Criminal conduct should be punished whether it is done directly by individuals or indirectly through the mechanism of a corporation. Executives, directors or other officers and employees of the corporation presently do not have the benefit of immunity from criminal liability. Under our current criminal code provisions they are legally accountable for their own personal wrongdoing.

As well, corporations can be held criminally liable in their own right. In cases of offences of absolute or strict liability, a corporation would be subject to penal liability for unlawful acts or omissions of such persons who, because of their position or authority in the corporation, may be said to constitute the directing mind of the corporation.

Those are all matters that need to be considered and weighed. Some of the following matters should also be considered.

●(1805)

The bill would, without a doubt, create concerns among corporations be they large or small, successful or struggling. If criminal code amendments, as outlined in the bill, were applied to all corporations, they would have a negative impact on economic growth and jobs. We need to bear that in mind. However, at the same time, we need to ask the question: Is this the kind of economic growth and jobs that we want, that we jeopardize the health and safety of our workers?

It could also have a major negative impact on investment and considerably add to operating costs and consequently the profits and motivations of businesses to expand. Again, I ask: Is this a reason to put these suggestions aside? I say that is not sufficient to deny liability among those who act criminally. I think we are at a stage in our country's development where profits and motivation of business must be secondary to the security and the well-being of our workers.

If the bill were to become law, many businesses would no doubt have difficulties attracting viable candidates to sit on a board with such severe criminal code penalties. Smaller or struggling companies would be at a particular disadvantage if such standards for accountability were universally applied. I do not make those statements as a matter of conjecture. I think it is clear, given the experience of civil liability that has been attached to directors, that many corporations find it very difficult to attract qualified and competent directors.

We do not want to create the situation where we dissuade competent people from being the directing minds of corporations. We want to encourage competent people who exercise sound skill and judgment to continue working through the vehicle of corporations to ensure that jobs are preserved and created in Canada.

Again, that is an issue we need to bear in mind given the difficulty that many corporations today find in attracting directors to their boards.

Make no mistake about it, the provisions of the bill are harsh and severe. For example, according to subclause 467.4(1), an act or omission committed by an employee or an independent contractor, of which the management was not informed, could make a director, who was included in that management, personally liable for the offence as though the director had committed the act or the omission personally.

The provisions regarding workplace safety provide fines for up to \$100,000 per day in which unsafe working conditions are shown to have existed. This provision alone could have the effect of bankrupting businesses which are found to have unsafe working conditions.

I merely state that to show that the penalties proposed here are harsh and severe but given the nature of the problem that we are trying to address and the discretion that rests with judges in imposing the penalties, I think from a constitutional point of view they can be justified. It is not, I would suggest, cruel and unusual punishment if that judicial discretion is maintained.

• (1810)

In summary, the legislation could open up the door to penalties for people who may not have acted with criminal intent and that I think is the major issue the House needs to consider. Our constitution does not support imposing criminal penalties where there is no criminal intent. That is the issue that we need to address. If we pass legislation that is constitutionally flawed, it does not help the families of those workers.

I suggest we look at that issue carefully and look at possible amendments to ensure that we are within constitutional parameters. Once again, the principles are sound and this matter should move forward.

Mr. Stephen Owen (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to express my gratitude to all hon. members for their very thoughtful and important comments on this proposed bill.

Bill C-284 is a proposed response to the Westray mine tragedy. At this time, given the tragedy of last week, it is immensely important that we think back almost 10 years to the families of the victims of that terrible tragedy. It makes it even more appropriate that we consider this carefully and with deep humanity at this time.

Although this is not a new issue for the House, it is an important one and it is one that deserves very wide consideration. The issues that have been raised demonstrate both the importance and the wide number of considerations.

As we have heard, Westray was an underground coal mine in Nova Scotia owned by Curragh Resources, a company based in Ontario. An explosion in the mine killed 26 miners. It was a great tragedy on May 9, 1992. Our hearts, our thoughts and our prayers go out to the families of those victims.

The Nova Scotia government established an inquiry into the causes of the disaster. However, hearings were delayed by almost

three full years while the principals of Curragh Resources went all the way to the Supreme Court of Canada in an effort to have the inquiry quashed.

When the inquiry was finally able to start it was thorough. There were 76 days of hearings held over more than one year. Justice Richard heard testimony of ongoing safety violations and a series of unacceptable practices. His report was entitled "The Westray Story: A Predictable Path to Disaster". It made 85 findings of fact about all aspects of the operation of the mine, including the inspections carried out by the Nova Scotia government. There was plenty of blame to go around. More positively, the report contained 74 recommendations, and we have heard some of them tonight.

Previous debates in the House, as well as motions and proposed bills, this one and a previous one, have demonstrated the wide concern in the House that those who are responsible for criminal acts, either natural or corporate, should be held accountable for the consequences of those criminal acts. That appears to be, and from all that I have heard tonight, the widely held view in the House.

While the Richard inquiry was proceeding, an attempt was made to use the criminal law to hold the principals of Curragh responsible. Unfortunately, highly unusual circumstances, including a failure to make full disclosure and the trial judge seeking to have the crown prosecutor replaced, led first to a stay of the charges and then, after an appeal all the way to the Supreme Court of Canada, there was an order for a new trial. In 1998 the Nova Scotia prosecution service decided it would not go to a new trial and dropped all charges.

In those circumstances, not surprisingly, one of the recommendations made by Mr. Justice Richard was for the Government of Canada to study the accountability of corporate executives and directors for the wrongful or negligent acts of the corporation and to introduce such amendments to the legislation as were necessary. Mr. Justice Richard did not make a specific recommendation as to the changes that should be made in federal law.

There is currently a civil action in the Nova Scotia courts by the families of the Westray miners seeking damages against the government of Nova Scotia and against the Government of Canada.

On the motion by the government of Nova Scotia, the action against the province was struck out. That decision has been appealed. Accordingly, almost 10 years after the disaster, the matter is still before the courts and the families of the victims have not seen justice done in either the criminal or civil courts.

All of us in the House sympathize with the victims and we wish to do whatever we can to prevent such a tragedy from recurring. I will address the role of the criminal law in the process and particularly how the criminal law is applied when corporations are involved in wrongdoing.

Of course the criminal law only comes into play after the fact. Its effect on workplace safety is through deterring individuals from breaking the law by the threat of punishment.

Private Members' Business

The overwhelming majority of Canadian directors and company officials seek to maintain safe working conditions. The criminal law must focus on those who are reckless with the lives and safety of the employees but it must proceed with caution with regard to the possibility of casting its net so wide that persons who may have been negligent but who had no criminal intent are subject to criminal sanctions.

• (1815)

Most of the complexity and difficulty in devising an effective regime of criminal responsibility for corporations arises from the fact that the imposition of penalties under criminal law is based on a finding that there was *mens rea*, an intent to commit a crime.

When the courts are dealing with a person, whether accused of murder or shoplifting, they must determine not only if the accused committed the act but also what the intent was at the time. If the accused is found to have done the deed and to have had the necessary state of mind, the court then determines the appropriate sentence.

Corporations do not fit into the mould of criminal law as it has developed over the centuries. Corporations do not carry out a criminal act in the traditional sense. A corporation does not have a mind. A corporation cannot be imprisoned. For these reasons, as recently as 1909, Halsbury's Laws of England stated:

By the general principles of the criminal law, if a matter is made a criminal offence it is essential that there should be something in the nature of *mens rea*, and therefore, in ordinary cases, a corporation aggregate cannot be guilty of a criminal offence.

While the apparent immunity of corporations from the criminal law may appeal to logical purists, the courts and legislatures have recognized that the importance of corporations in modern life makes it essential that they be brought within the ambit of criminal law. The objective has been clear but the means of achieving it are not self-evident.

The Supreme Court of Canada stated in the leading case of *Canadian Dredge & Dock Co. v The Queen*, 1985:

The position of the corporation in criminal law has been under examination by courts and lawmakers for centuries. The questions which arise are manifold and complex. They are not likely to be answered in a permanent or universal sense in this appeal, or indeed by the courts acting alone.

The Commonwealth and the United States have taken much different approaches to the basis upon which to find a corporation guilty of a criminal offence.

In England criminal intent is found in the directing mind of a corporation, which is embodied in the board of directors or a high official who has such control over the corporation that "his action is the very action of the company itself".

In the United States the law has generally made a corporation *prima facie* liable for the acts of all its employees acting within the scope of their employment as long as they had a guilty mind and intended by their crime to benefit the corporation. It is a different approach.

In practice, however, the difference between the two theories for attributing liability may not be so profound. American courts allow a corporation to exonerate itself by showing that it took reasonable

steps to ensure its employees would not act in contravention of the law. American courts therefore examine the policies of senior officials and the practices of managers charged with implementing those policies

In *Canadian Dredge and Dock Co. v. The Queen* [1985], the Supreme Court of Canada applied the directing mind test of corporate responsibility but broadened the application of the test. In particular, the court held that a corporation can have more than one directing mind. As noted:

This must be particularly so in a country such as Canada where corporate operations are frequently geographically widespread. The transportation companies, for example, must of necessity operate by the delegation and sub-delegation of authority from the corporate centre; by the division and subdivision of the corporate brain; and by decentralizing by delegation the guiding forces in the corporate undertaking.

In a later case the Supreme Court of Canada specified that the directing mind is someone who has decision making power with respect to matters of corporate policy as opposed to broad discretion in implementing corporate policy.

This, then, is the somewhat confused state of the law today and as it existed when the explosion in the Westray mine took 26 lives. It is not at all clear that the law was not sufficient to bring charges successfully against the corporate owners of Westray.

The prosecutorial service of Nova Scotia had concluded there was sufficient evidence to go to trial. For reasons utterly unconnected with the law, the charges were eventually stayed under circumstances that led to an inquiry into the manner in which the case had been handled. Nor is it clear that the changes proposed by Bill C-284 would have changed the result of the criminal trial.

• (1820)

We in the House must ensure that we devise the best possible regime to foster safety for all workers. Most of that consists of ensuring workers have the right to safe working conditions and the right to refuse hazardous work. A proper system of inspections to ensure laws are obeyed and not circumvented is another vital component of ensuring safety.

The criminal law is the last step when previous measures have failed. We must ensure that any changes we make to the criminal law advance the cause of promoting safety. We must take the time to study the issue thoroughly and consult with all stakeholders. The government will do so.

Mr. Jay Hill (Prince George—Peace River, PC/DR): Mr. Speaker, it is a pleasure to rise this evening to speak to private member's Bill C-284 that was put forward by my colleague from Churchill. I commend her for her effort in bringing it forward.

I will read from the summary of the bill so that people clearly understand, although if they have been watching the debate it has been very instructive thus far and some good points have been brought forward. The summary of Bill C-284 clearly states:

The purpose of this enactment is to provide that, where a member of the staff of a corporation commits an offence by an act or omission on behalf of the corporation, the corporation, its directors and officers may, in certain circumstances also be guilty of the offence.

Government Orders

As has been stated and as all speakers have pointed out, the legislation came about because of the horrific Westray mine accident of May 9, 1992 in Plymouth, Nova Scotia, which killed 26 men. As the hon. parliamentary secretary pointed out, May 9, 1992 was almost a decade ago. Yet we are still here debating what ultimately to do about it.

The parliamentary secretary talked about difficulties in proposing this type of legislation in that one must prove intent on the part of the corporation and/or its directors. I would respond that in some cases it does not matter whether the intent is there; the bottom line is that the people are still dead.

The reality of criminal law is that in cases of first degree murder one needs to prove there was intent to commit murder but for manslaughter one does not. People charged with manslaughter can be held accountable even if they did not clearly intend to murder an individual. They should have assumed that because of their actions the individual stood a good chance of perishing.

How can these accidents happen in this day and age? That question is certainly on the minds of men and women in workplaces across our nation. It seems incomprehensible that these types of things can happen in this day and age. We have provincial workers' compensation boards across the nation to protect our workers.

Sadly the reality is that all too often workers are intimidated into doing things they know are unsafe. They feel intimidated and at risk of losing their jobs, especially in times of economic slowdown. They cannot afford the loss of income and end up doing things in the workplace they inherently know are not smart. Unfortunately I speak in particular of our youth.

I am a father of three. My children's ages are 22, 20 and 18. I am sure many members in the House have children in the workplace or in some cases grandchildren. All too often it is the young people of Canada who do not clearly understand their rights as workers and can be coerced or intimidated into doing something unsafe. They do so in the name of expediency and the bottom line so that a corporation can chase the almighty dollar.

• (1825)

This is especially important in a country such as Canada where a large part of our economy is dependent upon natural resource extraction, be it from mines, the oil patch, logging or fishing. I should not say these industries have a record of being unsafe, but many are dangerous to be involved in. Many of them involve heavy equipment. Miners must work underground. Forestry workers have large trees falling around them. Statistics clearly show these are dangerous occupations and we must ensure corporations conduct these operations in the safest way possible.

I have listened to the arguments and read the bill. There are concerns that the legislation as written is perhaps too punitive. However, with all due respect, a decade is long enough for the families of the victims of the Westray disaster to have waited to see the issue go before a committee.

In the last parliament, as has been mentioned tonight, my colleague from Pictou—Antigonish-Guysborough was successful in getting a private member's motion dealing with this issue passed and sent to the justice committee. However one of the tragedies, as it

were, of our parliamentary system and how it handles private members' legislation is that even when it clears the first hurdle and enough government backbenchers break party ranks to support it and send it to the appropriate committee, all too often an election ends up being called and the legislation dies.

That is what happened with my colleague's bill, which necessitated my other colleague from Churchill bringing it forward and starting the process all over again. Here we are still dealing with it a decade later.

In conclusion, I support the initiative. As others have said, there are problems with the way it is drafted but I am sure it is nothing the justice committee could not deal with. It could hear the appropriate witnesses and make amendments, but let us get on with it.

• (1830)

[*Translation*]

The Deputy Speaker: It being 6.30 p.m., pursuant to the order made earlier today, the House will now proceed to government orders.

GOVERNMENT ORDERS

[*Translation*]

CRIMINAL LAW AMENDMENT ACT, 2001

The House resumed consideration of the motion that Bill C-15, an act to amend the Criminal Code and to amend other acts, be now read a second time and referred to a committee, and of the amendment and of the amendment to the amendment.

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, for the benefit of people who are listening, I am pleased, once again, to make a summary of the context of Bill C-15, which the government has called an omnibus bill.

As I said earlier in jest, I compared this omnibus bill to a bus bill carrying an unlimited number of passengers. The government has included in this bill all the amendments it could think of, that is to say amendments to the criminal code.

What makes the situation awkward is that we find in the same bill amendments creating new offenses to provide protection to children from sexual exploitation, including sexual exploitation involving use of the Internet. The bill also increases the maximum penalty for criminal harassment; it makes home invasion an aggravating circumstance for sentencing purposes and it creates an offence of disarming, or attempting to disarm, a peace officer.

The bill also contains a whole part that increases sentences for offenses involving cruelty against animals. This is where we have a problem.

The bill contains a whole part we support. All members who spoke on the bill, members of the opposition, said they were eager to have this bill quickly passed and implemented.

Government Orders

We agree with offences relating to sexual exploitation of children, the increase of the maximum penalty for criminal harassment, making home invasion an aggravating circumstance and the new offence of disarming a peace officer.

As far as the increase in penalties for cruelty to animals is concerned, this is a situation that is hard to introduce into a single bill. It creates difficulties for an MP like myself, from the riding of Argenteuil—Papineau—Mirabel, the only federal riding between two metropolitan communities, Montreal to the east and the Outaouais region to the west. It is the only riding where the land is considered 50% agricultural and 50% forest, lakes and mountains.

We can therefore consider ourselves as part of the food basket for Greater Montreal and also for the Outaouais, while also being part of their playground.

Obviously, everything that could affect farmers and the work they do affects me directly. As for Bill C-15, given the increased penalties for cruelty to animals, I will reread a change to the designation of the term “animal”, which is “...a vertebrate, other than a human being, and any other animal that has the capacity to feel pain”.

Obviously, any vertebrate that has the capacity to feel pain leads us to think that anyone involved in animal husbandry may be liable to be charged under the criminal code under new clause 182 and those that follow, and even sentenced to up to five years in prison.

There are still many broad discussions required on this. What we are telling the government is that this is not over, that the discussions have not been completed as far as cruelty to animals and the penalties for it are concerned.

In this connection, I refer to where the text states that everyone commits an offence who “without lawful excuse, kills an animal” or “without lawful excuse, poisons an animal, places poison in such a position that it may easily be consumed by an animal”.

As far as agriculture is concerned, one thinks of rodents and so on, but the words that are the most striking are “without lawful excuse”, because there is no definition. The only words used are without lawful excuse.

•(1835)

This led to confusion. The Fédération des producteurs de lait du Québec, the Ontario Farm Federation and the Fédération des producteurs de volailles du Québec have all expressed strong opposition and want much greater clarity in the definition of the word animal and in the definition of the meaning of without lawful excuse.

The pressing problems must be resolved in the short term. We can never say it enough, the matter of child pornography must be regulated quickly. In the same bill, the government introduced the matter of cruelty to animals, which the various stakeholders from the agricultural community have not finished discussing.

I mentioned earlier that 50% of my riding is forest, mountains and lakes. It therefore is a playground for some people. The hunting and fishing associations, the people who operate the wildlife preserve in keeping with all the regulations and laws, with the necessary permits, all may be afraid as of today to enjoy their sport and fear

being accused of a criminal offence if the fish or game is not killed immediately and suffers a bit.

On behalf of the farmers in the riding of Argenteuil—Papineau—Mirabel, hunting and fishing associations, owners of hunting dogs and a very popular activity covering part of the riding, we are asking the question. All we want is to support the bill in connection with child pornography, an increase in the number of criminal offences in cases of criminal harassment and the creation of a new penalty for those who disarm peace officers in the course of their duty. We agree with this part of the bill.

We want the section of the bill dealing with cruelty to animals withdrawn from the bill and referred to various committees for discussion and expansion. That way the farmers of the riding of Argenteuil—Papineau—Mirabel, Quebec and Canada will not be penalized and neither will hunters and fishers who enjoy their favourite sport within the law and with the necessary permits.

Farmers should not be penalized by a bill that would threaten the way they earn their livelihood, just as hunters and fishers should not be penalized for practicing their sport.

These days, my riding is all the more affected because the Mirabel airport is located on its territory. That airport was built right in the middle of an agricultural area. As we know, this was the largest expropriation, the largest displacement of people, second only to the terrible events that took place in Acadia.

This was a huge federal operation. We still do not have what was promised back then, when the project to build Mirabel airport in an agricultural zone was being implemented. The government had promised to build highways, to build highway 13, highway 50 and a bullet train that would travel to the airport terminal. In 2001, more than 30 years later, highways 13 and 50 have yet to be completed, and we are still without a high speed train, even though there is an airport terminal.

With any bill, any proposal from the federal government, people in my riding of Argenteuil—Papineau—Mirabel are all the more concerned when they are told: “Do not worry. This is not a problem. All those who practice their sport or who have a farming operation will not be affected by this bill”.

Again, we cannot trust the government when we read the text, the definitions and the explanations on what may be deemed to be cruelty to animals. Let me repeat the definition of the word animal:

—a vertebrate, other than a human being, and any other animal that has the capacity to feel pain.

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This means that a farmer, a hunter or a fisher is likely to think that if he does not immediately kill the product of his work or the target of his sport, if there is any kind of suffering for any reason whatsoever, he could be accused of having committed a criminal act. This makes us all the more eager to ask questions.

• (1840)

We should ensure that this whole portion of the bill concerning cruelty to animals is referred to committee so that those who earn their living honorably by farming, those who enjoy sports and who respect the laws, hunters, fishers and owners of hunting dogs, can practise their sport and indulge in their hobby or do their work without being constantly harassed by a neighbour or anyone else who might accuse them for who knows what reason of a criminal act.

I am rereading this section of the bill where it says that a person could be charged with a criminal offence if he:

c) kills an animal without lawful excuse;

No definition of “lawful excuse” is given.

d) without lawful excuse, poisons an animal, places poison in such a position that it may easily be consumed by an animal—

I repeat, there are vermin and things for which many solutions are available in the interests of greater cleanliness and an improved quality of life.

What I, my colleagues in the Bloc Québécois, and all members who have introduced bills and made speeches in the House are requesting is that the government split its bill, because an omnibus bill is a bill into which, I am joking, but that is how it looks, just about everything can be thrown, with no restrictions. That is why I described this bill as a catch-all bill or bus. At least we know how many passengers a bus can carry but, with an omnibus bill, there can be a series of amendments. When it is passed, it is passed in its entirety, and no part can be left out.

When government officials make recommendations, it is very difficult later on to make even a single change. Very important talks are taking place between the major bodies which speak for farmers throughout Quebec and Canada, and between the major associations representing hunters, fishers and owners of hunting dogs, those who use our forests, the wildlife on our lands, for recreational purposes, who show respect for their sport, comply with the rules and have the necessary licences. These people who earn their living from the land and use it for recreation have serious questions about this bill.

It would not be unthinkable for the government to decide, for once, to agree with the opposition and quickly pass and I cannot stress this enough, all of the amendments relative to the protection of children against sexual exploitation, criminal harassment, amendments regarding the disarming of a peace officer or increasing the sentencing for perpetrators of home invasions. We are ready and willing to pass this part of the bill very quickly, so that people will feel better protected.

As for the rest, for those provisions dealing with the implications of cruelty to animals, all of the definitions, protection for those who are involved in certain sports and who make an honest living, in order to spare them being punished by a bill that we passed in haste, we ask that the bill be split. We are still waiting to hear why the

whole cruelty to animals issue is included in the same bill as protecting children from sexual exploitation. This is an aberration. It is allowed, because it is an omnibus bill, as it is called.

If there is one duty we owe to ourselves as parliamentarians in this House, it is to make sure that bills are clear, so that citizens not be left in doubt when it comes to issues such as the protection of children and cruelty to animals.

• (1845)

[*English*]

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, I spoke to Bill C-15 earlier and pointed out that the provisions in C-15 as they pertain to the Firearms Act are part of this hidden agenda, this attempt to obtain a goal by indirect means. To further bolster the arguments and the positions I have put forward in this debate, I would like to put forward in the form of a question to my learned colleague from the Bloc Québécois something from the Canadian Shooting Sports Association.

The infamous use it or lose it provisions were softened slightly in Bill C-15 but are still there. This action gives the CFO, the chief firearms officer, the authority to refuse or revoke a licence and/or registration for restricted firearms if the owner cannot prove the firearm was used for the purpose for which it was originally purchased, for example, target shooting or collecting.

The association was hopeful that the whole provision would be removed but says that the government gave in to the wailing of the Coalition for Gun Control and kept it in with a slight change. Instead of insisting that the gun be used for the original purpose, it will change to include any purpose listed in section 28, which refers to the protection of life, lawful profession, target shooting and collecting.

Just because a piece of property that was bought with after-tax income or earnings is sitting on a shelf and locked up according to the regulations, why should any government, bordering on the label of big brother government, come in and take that lawfully owned property just because it has not been used for a year? I would like the member to talk about civil liberties and the rights that Canadians should have to own property. Just because it may not be used, the government is saying it will come and take it away.

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, in the matter of the registration of firearms, it may be said after a few years that in the end the aim of the government, which was in part praiseworthy, has not been reached because of problems of delays in registrations.

In fact, hunters in Quebec and Canada are doubly distrustful as the time comes to support a bill such as the one before us, because there is a whole part of it that concerns cruelty to animals.

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If the past is any indication of the future, they are right to be concerned. They acted in good faith and complied with the laws in effect, including the one respecting firearms, which is a monumental failure. The timeframes are tight, registration is long and painful. This clientele is experiencing a major problem.

There is no point going backward, but we do have before us the matter of cruelty to animals. All those whose recreational activities involve wildlife, hunters and fishers, are faced with a bill that, because of the definitions in it, could lead to their being charged.

There has not been discussion enough in the various committees that might have to debate this so that the associations involved can be heard and there are no problems. Discussions are needed so that everyone fully understands that those active in sports involving wildlife, such as hunting and fishing, are not likely to face criminal charges or be accused of cruelty to animals.

This applies as well to farmers working by the sweat of their brow. I hope that all those working in this industry, who have taken on the job of feeding us, will not have this unfortunate sword of Damocles hanging over their head and will not run the risk of being accused of cruelty to animals.

This is why this whole part on cruelty to animals must be sent to a committee, and the bill split so that the matter of the sexual exploitation of children may be dealt with quickly. The rest we will have to be able to deal with in committee, and then we will come back with a bill that has been discussed with the various agricultural associations and movements. In this way, people will feel more at ease practicing their profession or their favourite sport.

•(1850)

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, as the member for Argenteuil—Papineau—Mirabel just mentioned, we agree with a number of amendments which the minister is proposing in this bill. The majority of members agree with certain amendments, which means that we could pass this part of the bill very quickly.

Regarding the other part of the bill, the vast majority of members, including those on the government side, have certain concerns. That part deals, among other things, with cruelty to animals and with the Firearms Act.

It seems to me that what we are asking is fairly simple. We just want the bill to be divided into two separate bills so we can adopt as quickly as possible all provisions aimed at protecting children, at increasing penalties for specific offences and at giving better legislative tools to our police officers.

On the other hand, with regard to cruelty to animals, given the complexity of the issue, we must take the time to look at the bill very carefully. We are not against protecting animals and imposing harsher penalties. That is not the point. It is a very complex issue.

That is the subject of my question to the member for Argenteuil—Papineau—Mirabel. Given the definition of the term animal, which is defined in the bill as a vertebrate other than a human being, does the member think, as do several pharmaceutical companies and several Canadian universities and associations working in the medical field, that such a bill, if passed, would hinder the

development of drugs? Had we had such legislation in the past, would we have been able to make such great discoveries as we have made so far with regard to drugs that most people know, drugs that have unfortunately been tested on animals but that are now saving human lives?

Mr. Mario Laframboise: Mr. Speaker, the question asked by the hon. member for Berthier—Montcalm is clear. Yes, I think this could hinder the development of new drugs. Again, under clause 182.2, an offence is defined as follows:

(1)(a) causes or, being the owner, permits to be caused unnecessary pain, suffering or injury to an animal

Without a definition of the term “unnecessary” and of the expression lawful excuse in “kills an animal without lawful excuse”, there will always be groups who will want to prevent research, prevent all sorts of situations in which these people believe that there is cruelty to animals when in fact it is not necessarily the case. There is not necessarily cruelty to animals.

I thank the hon. member for making these comments and I fully support the fact that we want true cruelty to animals to be punished. This is what we are saying. However, farmers, hunters, fishers, people who make a living and who practise a sport must not be punished because these definitions were added to a bill, thus making them liable to be charged.

•(1855)

[English]

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I am indeed privileged to enter into this debate, as we do on other debates from time to time.

I would like to begin my intervention this evening by talking about the essence of democracy, which I think is severely eroding by what is happening here. I know I have to stay within parliamentary rules so I just want members to imagine the very worst terms I could use to describe how incensed I am at the Liberal government for throwing together these widely disparate items and asking me to cast a vote on them. It is totally crass, unjust, unfair political opportunism that motivates the Liberals to do this. I am very upset about it.

I am upset because I believe that in parliament, in this honourable Chamber where we represent the whole sum total of the citizens of this wonderful country, we should be able to discuss issues. We should be able to persuade each other to a better point of view and members of parliament should then be able to vote freely. I feel somewhat frustrated that I likely will not be able to change the vote of a single Liberal member of parliament because of the fact that regardless of what I say, regardless of whether my arguments are weak or strong or how persuasive they are, the Liberals will still all vote en masse on command of the minister to pass a bill which is so severely flawed.

Furthermore, I am really upset that I am being forced to vote for some things that I am totally opposed to or conversely, that I am being forced to vote against something that I totally support. I am in a no-win situation here and it does not have to be.

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I have used this example before because this is not the first time the government has done these things. I do not know if I used exactly the same elements but it is as if I were to order a meal in a restaurant. When I look at the menu, there are four or five different items from which I could choose but each of them has some desirable food and undesirable food and I am forced, in order to place that order, to eat something that is totally undesirable.

I use the example of ordering a beautiful steak. I love steak. I am a westerner. There is nothing better than a good Alberta steak.

An hon. member: We noticed.

Mr. Ken Epp: He noticed just by looking at me sideways. One of the items on the menu is a beautiful steak with all the side orders, the trimmings and everything. But I am told that I cannot have it unless I also eat the gravel that is sprinkled on top. Gravel is not very tasty and it chips my teeth, but I am told that I cannot have the steak unless I eat the gravel.

I have another example, and this one is going to be even more crude. This one is turkey with all the trimmings. We are coming up to Thanksgiving soon both in the United States and Canada. What a meaningful Thanksgiving it will be this year because of the recent incident. How grateful we are that we live in a country that has freedom, freedom of movement and freedom to live. But I am thinking of that turkey and in among the turkey are the feathers, because the feathers were not taken off the bird before it was cooked. I am told that I have to eat the feathers as well as that wonderful turkey that I like so much.

In all these different instances I am not given a choice. So it is here with this bill. I am being asked to either vote for these elements en masse or against them en masse.

• (1900)

The reason that it is so crass is I am sure that it is exactly along the lines of what I saw in the 1993 in the election.

One of my colleagues at that time, the member now for Edmonton North then from Beaver River, was running in the election. A brochure was sent out in her riding which listed all the things she had voted for or against. These were things that no doubt the people in that constituency either did or did not want. They used it for straight political reasons. In the midst of a vote, and this is almost always true, it is very seldom that we get a vote which we can support wholeheartedly.

When we have a bill like this, which has some things that are so objectionable, we cannot in conscience vote for it and represent our constituents. However, at the same time there is another element in that same bill that I could never vote against. How am I going to win?

I really think that perhaps the Speaker should intervene here. The Speaker should say that we need to guarantee the freedom of members of parliament to vote the way they believe their constituents would want them to vote.

Since this bill puts the members of parliament into such a dilemma, the Speaker should say that he will not accept the bill in its present form. Maybe the Speaker should say to the government that

the bill should be divided and brought back for us to debate it, amend it and vote on it. Maybe that would be the solution. After all, the role of the Speaker is to ensure that the rights of parliamentarians are maintained.

I do not think that this means or any other means is an acceptable means to force me to vote opposite to the way I should on certain issues.

The Elections Act and the Parliament of Canada Act state, among other things, that if someone were to offer me money to try to persuade me to vote differently from what I might vote, it would be considered a high crime. This could result in both the person offering the money and the member of parliament, if he or she were stupid enough to accept the offer, landing in jail, and rightly so.

Why should the person who offers a bribe go to jail, when the government forces me to vote contrary to my beliefs and it does not go to jail? I would like to see all the Liberals in jail. We cannot do this to a person and maintain the integrity of parliament. Think about it. I do not think enough thought has gone into that.

That is by way of introduction to the particular bill. A few things really bother me about the bill, but some things I could probably support. For example, in our modern electronic age it is now possible very easily to transmit information electronically via computers, e-mail and the Internet. One thing in the bill, which I do not think has been mentioned in the debate so far, is that the bill permits the acceptance into evidence of electronically transmitted information. That is perfectly good. It is wonderful that we can communicate quickly and easily.

Another part of the bill is good. It provides that a witness or even an accused does not have to physically be in the court if, by some electronic conferencing means, it can be shown to the satisfaction of the court that all of them are able to see and hear each other simultaneously. That is a good move. It could save our country millions of dollars of costs in getting witnesses to court, as long as the courts are satisfied that there is no coercion and that all statements are freely made. I would vote for that because it is a good one.

I am sensitive to another part of the bill because of my past experience. Those who know me know will know what I am talking about. I have some affinity for people with handicaps because I had a sister who was severely handicapped. There are provisions in the bill that make it easier for them to testify, either as an accused or as a witness.

• (1905)

In the opinion of the judge, if a person feels intimidated in a public court with everyone watching, this bill would allow that person to be a witness from behind a curtain without being visible. Another very important thing is it could be arranged, for example, for the victim not to be in a position to physically see the accused. It is a very important thing in terms of victims' rights. I want to support that. I want to vote yes when the vote comes up for Bill C-15 because of some of those issues.

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The bill talks about the issue of child pornography. I know that some of my other colleagues have already entered into the debate on that issue. I strongly want to vote in favour of anything that will reduce these vile attacks on our children. Whether it is an attack of physically using a child, which is absolutely unthinkable in my mind, or whether it is in the realm of cartoons and does not actually involve a child in their production, the very idea we would promote that in our society is such that I want to be against it.

The bill takes a few tepid steps in improving protection for children and in reducing the child pornography industry. I want to vote in favour of that but I do not want to vote in favour of some of the other things.

I am appalled at what little protection we give to children in our society. The age of consent is presently 14. That is unbelievable. We have friends who are a generation beneath us, but their children are growing up now. I am thinking right now of a specific family. They have a wonderful family with three children.

I cannot imagine someone actually enticing or intimidating this young lady, who is a couple months older than 14, into some of these heinous acts, whether by Internet or otherwise, and getting away with it because the age of consent is 14. The bill happens to talk about using the Internet as a means of enticing children.

I am opposed to the age of consent being 14. It should be at least 16, but preferably 18. If we are not ready to protect our children in society, then our society is going downhill. We need to take very strong steps in that regard.

Then there is the issue of cruelty to animals. This is one item that is very badly done in the bill. For the life of me I cannot condone for an instant deliberate cruelty to animals. I have heard of such situations. There was one situation in the Edmonton area next to my riding.

A lady had a house full of cats, which happens from time to time in different cities, but it was unreal how those animals suffered. I believe there were 50 to 100 of them in the house and they were not properly fed. In fact many of them had died. The people who went into the house said the stench was horrific, yet this woman lived with these cats. Obviously, this person was mentally ill and needed help. What happens to those animals is unconscionable.

I want to make it very clear that I am not in any way in favour of will I condone the wilful torture or inhumane treatment of animals.

●(1910)

I grew up on a farm in Saskatchewan. The things that needed to be done to train animals were well within the limits of reasonableness, yet not clearly defined in this particular bill.

Trying to train any animal, whether it is a dolphin at the zoo or an elephant, a combination of reward and punishment is used. That is the only way to train them. Some would think it is very cruel for a guy like me to get on a little pony to try and break it, yet it is a very good way of breaking it. I do not mean physically breaking its back, although that is a possibility. If a heavy person gets on an animal it tires more quickly and is brought to subjection more quickly. That is part of training an animal.

There are other things. I do not know how many members have a dog. How does one train a dog so that it behaves in a socially acceptable manner when living in a house with humans? I do not know of any little puppy that will respond to anything other than a small amount of physical punishment. It is not harmful, yet there would be some that would say it is cruel.

I think of the way we treated our animals on the farm. My dad was always very careful. However the bill says that everyone commits an offence who wilfully or recklessly causes, or being the owner, permits to be caused unnecessary pain, suffering or injury to an animal or who kills an animal or, being the owner, permits an animal to be killed, brutally or viciously, regardless of whether the animal dies immediately.

When I was young we used to go fishing. It was part of our food supply. When a fish is pulled out of the water it has that mean, ugly hook in its mouth, which is pretty cruel. Then the fish is killed. Some people just allow it to die of asphyxiation. Others use some other means to kill the fish. Does it mean that sport fishing now will be illegal? To me that is pretty brutal. If it was done to a human it certainly would be considered brutal. Yet it says that if one allows it to be done, brutally or viciously, regardless of whether the animal dies immediately, one is guilty.

We cannot have that. The bill will put at risk everyone who goes out sport fishing and actually uses the fish for food, which is a proper function. Here we have a Liberal bill and I am being told I have to vote for that.

I also think of animals. When we were on the farm we used to slaughter them. Nowadays they are taken to the abattoir and it is done professionally. However when I was a youngster we used to do that ourselves on the farm. My father used to point the rifle right in the middle of the animal's head and it died instantly. Again, if we did that to a human it would be considered brutal and vicious.

The words brutal and vicious are undefined. In this case the animal died, in my opinion, within milliseconds. Yet, according to the bill, that farmer, hunter or native in the North country who takes down a moose are all at risk because they have done something which is vicious and brutal.

I cannot support the bill if it has that kind of a clause in it. I plead with the government and the Speaker. Let us divide these things out. Let us talk about them one at a time. It would not take any longer. In fact it would take less time because we would be able to deal with each issue separately, get it to where we want it to be, have the vote and it would be done.

As it is right now, we are going to be hung up on this because we cannot reach an agreement on these things. It puts us into such a conundrum to be going forward and backward on issues at the same time.

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•(1915)

There is a limit to how far we can do that. I believe that democracy is eroded by the fact that these things are all in the bill. There are others, but I am out of time so cannot elaborate on the others. However, that is the essence of what I want to say today. I really wish that the government would reconsider and even at this stage, second reading of the bill, pull it back, divide it out and let us have some parliamentary co-operation here, which is what allows us to do our job.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, generally speaking, I agree with the hon. member's comments. However, there are parts of his speech that I find difficult to understand, particularly when he says that a 14 year old cannot give his free and educated consent and that the age should be raised to 18, because this same hon. member, or the party that he represents, wants to lower the age to 10 in the Young Offenders Act.

It seems to me that there is a contradiction regarding the age of young people. If they are not old enough to give their consent, then they are not old enough to be treated as adults either. At some point, I would appreciate it if the hon. member could clarify this issue.

But there is another party that contradicts itself a lot. I believe the hon. member pointed this out in his speech, but I also wish to point it out and then ask a question. I am referring to the government party.

The government is holding serious debates on the work of an MP, how to improve the parliamentary rules to help MPs better serve their constituents, to have rules here in the House in order to do their jobs better, in fact all manner of good things. One day this week it was discussed in fact, but concretely I feel the government needs to demonstrate its good faith to us.

With the motion presented by the opposition party, the government could demonstrate to this House and to all those watching us as well that, indeed, it does want to raise the value of what MPs do. What the opposition is asking for is just to have the proper tools to do our work better. This is a highly complex bill, one that touches on all manner of things, and puts on equal footing certain values that should not be confused. For instance, in particular, child protection and animal protection. Putting the two together makes no sense.

There are some things that could be put through rapidly in order to get them applied equally promptly. Other things in the bill deserve more study and analysis.

Finally, my question to the hon. member is a very simple one. If the government were in favour of the motion and decided to break the bill up into two or three bills, if it divided its bill, does it think that the members of this House, both in government and in opposition, could do a better job, could ensure that the resulting bill or bills would be more in line with our constituents' expectations?

My question then is this: if the government were to split the bill, would it be acting on its claim of wishing to reform the system and enhancing the work of MPs?

[*English*]

Mr. Ken Epp: Mr. Speaker, my thanks to the interpreters, without whose help I would not have been able to understand a word this

member said since I am one of those very unfortunate unilingual Canadians.

I would like to address the questions which he has raised, first the question of age. That is a very good question because we are often falsely accused of wanting to treat children in the criminal system as if they were adults. That is not at all the intent of our legislation or of our policies.

The way it is now, youngsters who are 10 who commit a serious crime are simply sent back to their parents. Very often what they need is a serious intervention within our criminal system that says they will get counselling at the time, that they will go to a home for juveniles where they are taught social responsibility. All we are trying to do is to draw them into the loop for help so that they will not grow up to be true criminals after having learned more and more.

We also believe in this same context, though, that if youngsters, persons under 18, commit a serious crime such as murder, rape or major assault, they should be held accountable. I do not make apologies for that. I am not talking about 10 year olds. I am talking about those in the upper part of that range.

Second, the member asked the question about whether or not the government could act in good faith here. I really wish it would. Our legislative process would be greatly enhanced if all members of parliament were given true ability and authority in this place to represent their constituents and to represent their consciences.

For example, in committee today we had given notice of a motion to hold some ministers accountable in the present crisis. I was absolutely amazed to find that I was not permitted to make that motion. How was that done? On command, all the Liberals rose and left the committee even though it had not yet been adjourned. We lost quorum and therefore the chairman was not able to accept my motion. Those are bullying tactics.

The correct response would have been, let us let the man make his motion, debate it and let each individual there, without the coercion of party pressure, consider this, and if it is good vote for it and if not vote against it. Would our system not be improved if that happened?

The same thing should happen with this bill. I would love to see more free votes on government bills in this place. I know that there have been a number of them where members of the ruling party were not really with it, but they voted for the motion basically because of the pressure that was put on them. I am quite convinced that if we had more freedom in our respective parties to vote outside the party line we would be accepting amendments which would improve legislation.

I would also like us to actually have the capacity to defeat a bill without defeating the government because when I am voting on a bill I should be voting on the essence of what that bill is, not on whether or not there should be an election. That is a total mix-up, where we are not voting on what the issue is but on whether or not the government stands.

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We absolutely need to have those reforms. We need to have that ability of a governing party, whichever it is, as right now it is the Liberals, and my answer to the question that the hon. member asked is a resounding yes. It would be very helpful. It would build good faith. It would enhance the reputation of our parliament among all of our citizens if the government would split the bill and allow us to deal with it properly. That is not being done now. We are being bullied instead of being allowed to do our work as parliamentarians.

• (1920)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I wanted to rise in part to say how much I enjoy the speeches from the member for Elk Island. He has a very soothing way of addressing the House of Commons. It is not unlike the late, great Mr. Dressup who just passed away recently. His oratorical style reminds me a bit of Mr. Dressup.

I would like to ask the member for his point of view on one subject. In his opening comments he spoke on the relative merits of the omnibus bill as a concept. Would he agree with me that the idea of the omnibus bill does have its place? For instance, in a case like Bill C-23 it was necessary to make the same change to a bunch of different bills all at once. In that case it was to make sure that same sex benefits were provided to gay and lesbian couples. This had to be corrected in a number of bills at the same time just for the sake of process.

However, would he also agree that when we try to put together an omnibus bill that is actually many different things rolled into one it then starts to resemble what we see in the financial sector, what they call tied selling? Someone goes into a bank asking for a mortgage and the lender says he can give him a rate of 6.5% if he moves over his car loan and takes out a credit card with that bank. That is tied selling. In other words, to get what he wants he will have to accept a bunch of things that he does not want.

Would he agree with me that this bill is tantamount to tied selling, which is illegal and for which measures are put into place so unscrupulous people cannot force things upon other people in that way? Would he see the comparison?

• (1925)

Mr. Ken Epp: Mr. Speaker, the hon. member from Winnipeg has made a very important point. Indeed, there are many times when legislation that affects a number of different acts is changed. It is then totally appropriate to list all of those acts in the same bill. It is not in that case truly an omnibus bill, although it is given that name, because it deals mostly with one subject. It just happens that many acts have to be changed in order to accommodate that legislative or policy change of the government.

However, what we are dealing with here, as he has indicated, is a very onerous mixture. It is a mixture of all sorts of things. I suppose it is comparable to taking all of the things that we might eat in a week, putting them all into a pot, mixing them all up and then heating it and saying "Here, eat this". I do not think it would be very palatable. We would probably want to reject it and in fact we might after we eat it. That is how I feel about this omnibus bill.

The Deputy Speaker: We will now proceed to the next stage of debate where speeches will be limited to 10 minutes without questions or comments.

Mr. Grant McNally (Dewdney—Alouette, PC/DR): Mr. Speaker, I thank my colleagues for the opportunity to speak on behalf of the progressive conservative democratic representative coalition. I echo some of the comments made by my colleague from Elk Island in his lengthy but very important introduction to the bill, as well as follow-up comments by my colleague from Winnipeg Centre.

We have seen this tactic employed by the government all too often in this place. An omnibus bill is placed before the House forcing members of parliament to vote against things that they support or do not support.

That is a very bad thing to do. It sends a message not only to members of parliament but to the people we represent that rather than working in the spirit of co-operation with honest give and take, being partisan is more important than doing the business of the nation in a way that would include others.

That is a shame. The people of our country are looking to us for leadership. We have been pitted against one another for far too long in this place because of the way the government has proceeded with pieces of legislation.

The government would be better served if it were to do just what my colleagues have said in debate and separate the bill into separate bills because there are very contentious issues for members of different parties. Many of us in opposition have made the point that we could support many of the items in the bill but cannot support others.

If the government were to proceed with goodwill and leadership, it would stop implementing this practice. That would be reflected in the will of the people as well. They would look to this place as a place where we are doing the nation's business in a less partisan way.

Members of the opposition can come up with some good ideas. Members of the government can come up with some good ideas that the opposition can support. It can go both ways and it needs to happen more often.

The government, with its majority, has the ability to lead in that area. We find ourselves asking for the tone to be changed, for the direction to be changed and for leadership to be shown. If the government were to lead in this way, the people would follow. It would be to its benefit and to the benefit of our nation.

I hope the practice of bringing in omnibus bills does not continue in this parliament. Omnibus bills are in many ways simply designed to put people in an awkward position.

Clause 13 would add subsection 164.2 to the act. It deals with the forfeiture of materials and equipment that would be seized from individuals who produce child pornography. This part of the bill is actually something that my colleague from Lethbridge brought forward in a private member's bill. He worked very hard to bring it forward and it was incorporated into the bill with some changes.

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• (1930)

My Alliance colleague from Lethbridge is one who would not often blow his own horn, so to speak, so we need to do that for him tonight and congratulate him on his good work. Often as members we do not see the efforts of our good hard work that go into private members' business actually come to pass in the form of changing government legislation. The member from Lethbridge has been very effective and has helped to make a very important change to the bill.

At the same time, going back to an earlier comment I made, he will be placed in the awkward position of perhaps having to vote against the very bill that includes content from his own private member's bill which was included in the bill of the Minister of Justice. That is a shame. That is why we ask that these kinds of bills be separated into their subject areas so we can have an honest debate and questioning of the government and the government can show some leadership rather than the continued process we see over and over again.

Many of my colleagues have pointed to other specifics within the bill. Earlier today my colleague from the Bloc did a very good job of outlining the problems with regard to the gun registry and the impact that the bill will have on it. He indicated that this was simply not the right tool to use to get to a good goal and that the bill before us did not address the issue.

We debated Bill C-68, the gun registry legislation, long ago in this place. We know that has been a very costly piece of legislation and has not had the end effect. It is a laudable goal to reduce crimes committed by those who would use weapons in committing their offences, but the legislation does not have an impact on what it is intended to do. That is also a shame.

Those resources could have been put into other areas. The bill does not help to fix that problem. It only makes it worse in many of the ways that were pointed out by my colleagues earlier.

That is something we see over and over again. We have an opportunity now for the government to make some positive changes and to go in a direction that is needed for many reasons. Yet it fails to do so. We implore the government to change its attitude in the way it proceeds with legislation such as Bill C-15.

I will close by saying that I hope the comments made by members of the opposition this evening and earlier today will have an impact and an effect on the government and make it change its mind and its direction. Unfortunately many of us have been here long enough to know that raising good points, sound arguments and good ideas—

An hon. member: There is no guarantee.

Mr. Grant McNally: The member is absolutely right. There is no guarantee that changes will be made. That is a shame because there is a wealth of information, resources and good ideas among all members of this place.

Why not implement those good ideas rather than simply looking to see where the idea came from before deciding whether or not it is a good idea? We would be better served by that kind of leadership in this place. Those of us who are in the opposition are working to bring these points to the attention of the government. We are

working hard to present an alternative to the people of Canada and to the government.

We want to let Canadians know that we will provide that kind of change in direction because it will only happen when the group in power has the will to make those changes. We hope that will happen, particularly with the bill before us today.

• (1935)

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, despite a sore throat from a cold, I hope that I will be able to use all the time available to me. If I do not make it to the end of my 10 minutes, it will certainly be because my voice has failed me and not because I have run out of ideas.

We have been debating this bill for some three hours now and every possible argument has been raised, but there is no harm in repeating them. Sometimes, it seems that the members on the opposite side—I am following up on something the member who spoke before me mentioned—also have good ideas. And, in a democratic system where we are all accountable to the public, it would not hurt to accept them in order to improve the situation.

It is a shame to see that we are repeating the same arguments on the basis of our own experience, while we do not see the other side changing. If one day a minister were to say “The opposition was right and I am going to change my approach”, even if the minister were not from my party, I would be the first to thank him publicly, even in my riding, because I think that that is the essence of democracy.

I would like to digress at this point, because this is the first opportunity I have had to speak since the sad events in the United States last week. I feel I must tell my relatives—my mother being American, half my relatives, cousins, live in the United States—and the American people that they have our deepest sympathies in light of these tragic events.

There has been talk about democracy. If there is one value which is fine and noble, one value worth fighting for, it is democracy. We must hang on to our democratic values.

I was spoiled. I was a member of the Quebec National Assembly in the time of René Lévesque. Everyone will agree that René Lévesque was a great democrat. He gave me many lessons in democracy. He sometimes called me to order because, during caucus meetings, what I was proposing was not, in his view, democratic. He was a man whose sense of democracy was ahead of his time.

Since coming here, I realize that democracy is often talked about. But when it comes to putting it into action, there seems to be a desire to forget it. I will give two examples.

Increasingly, the government is trying to govern through foundations. It takes taxpayers' money, gives it to the president of Bell Canada, for example, to administer the millennium scholarship fund. This money belongs to all taxpayers and is being managed by someone with no accountability to the House.

Government Orders

This is happening increasingly. I remember speaking about legislation on the environment. Someone was proposing a foundation for the environment. They do it increasingly. It is, in my opinion, inconsistent with democracy. It is contrary to democracy, because democracy happens here. This is where the decisions have to be made and it is here that the government must be accountable to the people for the money it has managed, that is not ours, but the people's.

There is more proof, the omnibus bill we are debating. It is totally undemocratic to include in legislation things that cannot be opposed.

Everyone has said that we would look pretty stupid opposing the protection of children against sexual abuse, for example. No one wants to oppose it.

● (1940)

We all agree with that part of the bill. I have eight grandchildren. If one of them were ever assaulted and someone were to tell me that I opposed legislation aimed at protecting children, I would hold a tremendous grudge against that person. It makes absolutely no sense to include such important provisions regarding the protection of children with the protection of animals.

Are we pressed for time in this parliament when we left early for our summer recess? Are we pressed for time? Why not split the bill in two? We could then pass more quickly the part dealing with the protection of children.

We are not necessarily against the protection of animals, but there is no consensus on that part of the bill. It has to be improved. It is the part that shocks me. I will not address every aspect of the bill because I think enough has been said already. The government should know that this bill makes no sense. Anything that has to do with the sexual exploitation of children in any way should be dealt with as quickly as possible. It is an urgent matter.

The bill has to be split. Everybody on this side, and probably on the other side as well, agrees with this part of the bill. If this is not a breach of democracy, I do not know what it is. Why include such an important issue with everything else that is in this bill?

There are three bills in here. If we want to do a good job, if we want to be accountable to voters, if we want to say that we have done all that we should have done to make the legislation as fair as possible to all taxpayers, then let us make three bills of the one. I will not say anything more on the part dealing with children.

People are concerned about the section on the protection of animals. I worked with a vet who was an eminent researcher, Dr. Louis Roland. He was one of the first to perform heart transplants in Quebec. He performed transplant operations on hogs, thus helping advance the science, which then allowed for human heart transplants.

When I worked with this doctor—I was responsible for animal health—I would visit farms to perform autopsies. I would like to ask the legislator. When I killed an animal or performed autopsies, I was not always in a proper laboratory, sometimes they were performed on a farm, sometimes even in a backyard. I had to determine what disease the animal had in order to give the others the appropriate

medicine. I wonder if, under this new legislation, I would be considered a criminal.

In order to protect, in order for the legislation to achieve its goal, it is important to study it, in order to be able to achieve that goal, and not the opposite.

Many people are raising questions about animal protection, and they are right to do so. These are not necessarily people who wish to make martyrs of animals, but they are right to take the time to ask questions of legislators, in order to improve the legislation.

In closing, I completely support the bill. If the legislators are logical, they will split the bill. This would give us three nice bills to study and improve for all taxpayers.

● (1945)

[*English*]

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):

Mr. Speaker, the hour is waxing on and we have heard a lot of discussion regarding the bill, but in case we have people tuning in at this late hour I will review some of the aspects of the bill that we are discussing.

It is a multifaceted bill, a broad brush touching on a wide range of issues in at least eight and possibly more different areas of law, many of them totally unrelated, as has been mentioned time and again by members on both sides of the House.

The omnibus bill covers measures such as adding offences and other measures that are intended to protect children from sexual exploitation, especially over the Internet. It would increase the maximum penalty for criminal harassment. It would make home invasions an aggravating circumstance for the purposes of sentencing. It would add the offence of disarming or attempting to disarm a police officer. It increases maximum penalties for animal cruelty offences. It would revise the application process to the Minister of Justice for miscarriages of justice. It would reform the process for preliminary inquiries and other criminal procedures. It would add administrative provisions to the Firearms Act and things as far fetched and wide ranging as making amendments to the National Defence Act and the National Capital Act.

As has been mentioned time and again in the House, for the government to bring forth such a wide ranging array of issues under one bill is not only unpalatable but many would argue that it violates the very basis of the democratic principle and spirit that the House purports to represent.

I believe there are many issues in the bill on which members would agree almost immediately. I will talk about some of those issues but there are other issues in the bill that are very controversial and that do need to be discussed.

Government Orders

I think many members on both sides of the House will have difficulty voting on the bill because it causes a fundamental conflict of interest in very clear issues that we can support and other issues that we cannot support. By lumping so many different and controversial issues together under one bill, the government has actually taken away the opportunity for members to represent their own integrity on the issues and also constituents we represent. I would like to talk about some of those issues. The new legislation would create an offence for luring a child by means of a computer system.

This is good stuff. I think all parties are in agreement that this type of luring of children is not acceptable. It is an offence to all of us that this technology, which has been a blessing and a help for communication purposes and for transmissions in many other ways in our society, has been used in such a demeaning manner to abuse our children.

However the legislation brings in penalties that are consistent with other levels of crime in determining the age of the victims and so on; 18 years old for prostitution and child pornography, sexual assault and incest or, where the accused is in a position of trust, sexual touching; 16 years old for abducting an unmarried child from his or her parents; 14 years old for sexual interference or invitation to sexual touching, bestiality in the person's presence, exposure or harbouring.

The bill would also create an offence for transmitting, making available or exporting child pornography through a computer system with a maximum penalty of 10 years. The bill would prohibit a person from intentionally accessing child pornography on the Internet with a maximum penalty of five years.

The material is not clear how the courts would determine whether someone had intentionally viewed child pornography or with what objectives the person had viewed it. There are some challenges in relation to this. Furthermore, it is not clear which websites the law would apply to.

For example, if a Canadian viewed a website based outside Canada, what jurisdiction, if any, would the courts have over the person?

•(1950)

This part of the bill has many very good and commendable aspects to it but we are sure it will create some problems in administration.

The maximum sentence for criminal harassment would be increased from 5 years to 10 years. We think this is a very commendable issue. I am sure there would be a broad consensus among all parties for bringing in tougher penalties for criminal harassment. In order to maintain a secure society, it is necessary that we tighten up in this area.

I think we all know persons who have been injured by criminal harassment and have not had the adequate protection of the law to this point. I am aware of people in my own riding who have been stalked, which has caused them tremendous fear. Some have been followed night after night or have been threatened but no action has been taken. The police have trouble pressing charges until an act is actually committed.

We therefore applaud changes that will toughen up the penalties for stalking and for criminal harassment.

The bill also deals with animal cruelty offences. Many people in my riding and elsewhere applaud the changes in terms of animal cruelty. We have all known of instances where animals are abused and most of us own pets. In my case, we have a large number of animals of various varieties on our hobby farm in British Columbia. We have horses, dogs and cats. We have had turkeys and other animals.

We have had cases of abuse in our community where animals have not been adequately cared for and where people have not adequately provided for food for their animals, where animals have been left chained for long periods of time and where animals have given birth but no one was in attendance. We do not need to go on with horror stories. We have seen instances where animals have been left in the fields with a calf partly birthed and crows having picked the eyes out of the calf and the young heifer is left there on the verge of death. These kinds of things cause a terrible angst in the community as people become aware of these issues. We need to see measures brought in to toughen up cruelty to animals, and most of us would support that.

There are problems with the legislation because of the way it is defined. There seems to be some confusion between animal welfare and animal rights. While these measures are applauded by people who have seen horrors and animal abuse, there are those who use animals in other traditional ways. From the beginning of recorded history, mankind has hunted animals and fished for food. Those who have been involved in the animal agriculture and animal husbandry are raising some very serious concerns as to how their treatment of animals will be perceived under this legislation.

In my riding people have called me to say that they want to see Bill C-15 passed because they have seen horrors in their communities of people who have been negligent in looking after their animals. They want to know why it has been held up. We have had to time and again explain to people that the way the legislation is written and the definitions leave big questions.

We do not take a lot of comfort from the notion that the justice minister has declared that when the bill is passed things will continue and that what was legal before will remain legal afterwards. With these definitions being as they are, we wonder whether her word will stand or, if she is replaced as justice minister and another justice minister takes her place, whether this will be interpreted in the same way, or will the minister be there to explain to the courts what was really meant when the language is as confusing or as loose as it is.

There are some very serious issues that need to be clarified on behalf of our agriculture community and those who are traditional hunters.

Examples were mentioned earlier of routine animal husbandry procedures, such as punching a tag in a cow's ear. This could be perceived under this legislation as causing injury. I believe the definition states that anything which causes pain to all animals having the capacity to feel pain, includes non-human vertebrates. We might wonder what a salmon feels when it is hooked on its way in to being caught and how we might interpret that.

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•(1955)

I see that my time is winding up. As opposition members there are many aspects of the bill that we would like and which I would personally like to support. However, because of the confusing, contradictory and controversial areas that we cannot support, there is a conflict and we are not able to support the bill as it is written.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I think it is important to know why we have spent one day on the amended motion. One really only has to see the content of Bill C-15, and one will immediately realize that something is not right.

Without going into the details about each of the elements, since they have already been discussed at length today, upon reading the omnibus bill, one will see that it creates a new offence to protect children against sexual exploitation, notably sexual exploitation through games or the use of the Internet.

The bill increases the maximum sentence in cases of criminal harassment. It makes home invasion an aggravating factor in sentencing. It creates an offence of disarming, or attempting to disarm, a peace officer. It increases the penalties for offences related to cruelty to animals. New definitions are provided on this subject.

The bill codifies and clarifies the application process for ministerial review in cases of alleged miscarriage of justice. The bill confers certain powers to the minister. It reforms criminal procedure and modernizes it with respect to aspects related to preliminary inquiry procedures, disclosure of evidence, and case management and preliminary inquiries.

The bill sets out regulations for electronic documents and remote appearances. It outlines a complete system for pleas, private prosecutions, alternate juror selection, restrictions on the use of agents and it amends the Firearms Act using certain criminal code provisions.

Once we have seen that, we are entitled to move to the next question: is it unreasonable for the opposition to call for the Liberals to break up this bill? Is it unreasonable?

This is not just a question that involves the Canadian Alliance, the Bloc Québécois, the New Democratic Party, the Progressive Conservative Party or the Progressive Conservative Democratic Representative coalition. It is not a question that concerns a single political party. It is a matter of simple common sense. It is a matter of simple opposition common sense, some might say, because opposition members are the only ones who think this way.

What I have learned from the eloquent speech by the government House leader is that, when he was in opposition, he called for exactly the same thing from the Progressive Conservative government of the day, that is not to present omnibus bills like Bill C-15 we have before us at this time, so that the opposition, as well as the government MPs, might to do their jobs properly.

Today, is it unreasonable to ask the government to split this bill? Why would it not be made into three separate bills, because there really are three categories? Not three categories of offence, but three categories of functioning for the House to get its job done properly.

We have the category on which everyone agrees: child protection, increased sentences for sexual harassment, and a reform and modernization of the justice system to speed up trials. Everyone agrees on that. Why does the government not introduce a bill that includes these three? If that was what we had before us in the House today we would have passed it right away and it would be a fait accompli.

The second category, perhaps, is one on which the House is not unanimous, but we have heard talk of it, we have already discussed it, either in the House or private members bills, or on the Standing Committee on Justice, or in briefs from the Canadian Police Association or from lobbyists.

•(2000)

These issues are home invasions, which are an aggravating factor for sentencing purposes. The bill also creates an offence of disarming, or attempting to disarm, a peace officer. Then there is the review process following a miscarriage of justice.

This is another category, not that we fully support everything that is included in that category, particularly as regards miscarriage of justice. I find it unacceptable that the Minister of Justice, in her great wisdom, can decide whether or not to compensate. This issue could have been dealt with quickly since we had already discussed it. This is the second category. Another bill would have been needed. We would have fully co-operated, since everyone knows the issues here. We know where we are headed. We are either for it or against it, but we know where we are headed and we know where we stand.

The last category is the one with a capital "P" for problematic, since it is the whole issue of firearms. Is there a more problematic issue right now than the registration of firearms? The Bloc Québécois supported the principle of gun registration.

If we look at what is currently being done in the area of registration, I think we should be very careful with any amendment to this legislation, because it is not an easy thing to do. Let us be clear. Currently, there are over 100,000 firearms owners in Quebec who have problems with the Firearms Act, particularly as regards the procurement of ammunition.

We do not question the principle. We simply want to point out that this is a sensitive and complex issue. We do not want to mix this with the protection of children. Are we clear on this?

The other part deals with cruelty to animals. We support the principle that we must modernize the criminal code, which dates back a long, long time, as regards the issue of animal cruelty. We support the principle, but is it normal to include such a broad definition? Is it normal to tell a fisherman that he must make sure that his catches are indeed dead? He is being told that if he puts a fish in his boat when it is still alive, this amounts to cruelty to a vertebrate, since the fish is a vertebrate.

Government Orders

This is an important issue. We could easily have split Bill C-15 in three different parts to speed up its passage.

Why are we making such a request? Simply because we want the House to be able to make an informed decision when the time comes to vote on these important provisions of the criminal code.

First, the House must have all the information it needs to decide if it wants to pass this bill or not. This information will help members to do their job properly. When I say that, I mean that they must study the bill carefully and try not to forget anything.

Let us imagine for a moment that Bill C-15 is not split and that it goes to the justice committee as it is now. In the same day, the committee will hear hunters and fishers, psychologists who will talk about the protection of children, computer experts and police officers.

I know that Liberal members often play musical chairs in these committees. Three quarters of them do not follow the same committee regularly. What would they do in the clause by clause study other than say yes to everything, as the Minister of Justice would tell them to do? Is that the Liberal government's idea of enhancing the role of members of parliament? I do not think so.

● (2005)

I could go on for hours about this bill and explain how the government is going about it the wrong way. However since I have only a few minutes or a few seconds left, I would like to correct a statement made by the Liberal government. It said this morning that when it introduced this omnibus bill in June 2000, the opposition did not react.

I would invite the members opposite to examine Bill C-36 introduced in the 36th parliament and they will see that the whole issue of cruelty to animals was not included in that bill.

[*English*]

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, I speak on behalf of constituents in the Saskatoon—Wanuskewin riding, but also on behalf of a good many people across our country who have great concerns about the very manner in which the bill is before us today. It has been mentioned countless times already. It is a very sad day. It shows us something of the dysfunction in our present parliamentary system. We need to be able to break these things up so we can get the best kind of legislation put into place for the good of the Canadian public.

As has been referred to before, the bill contains a number of virtually unrelated things, a real potluck of justice issues. There is no compelling reason that they have to be placed together in this manner. No satisfactory reasons have been provided to me as to why such things as provisions dealing with child luring and child pornography over the Internet, animal cruelty, amendments to the Firearms Act, criminal harassment, disarming a peace officer and criminal procedural reform have to be together.

Many of us would agree with a number of those topics, but there are some other things that we have concerns about in respect to others. It is fairly deceitful, and we could use stronger language, that a Liberal government would even want to do this when there is no compelling reason.

The various elements of the bill seem to have been grouped together deliberately in a tactical strategic manner in order to compel opposition members of all the parties here to raise concerns. It is not just the Canadian Alliance. The Bloc, the Progressive Conservative Party and the NDP have also raised concerns about Bill C-15 and its omnibus nature. The bill is designed to confuse the public, to obfuscate, to possibly embarrass members by obscuring the real reasons members may wish to hold up, slow down or vote against a piece of legislation. The public and members of parliament actually would agree with many things in the bigger bill. Certain of the topics we do agree with.

The process is less than transparent. It is sad for democracy that it has come forward in this rather deceptive manner.

Quite a number of members of Parliament live in rural ridings, and I am one of them. Thirty-five per cent of the population of the riding of Saskatoon—Wanuskewin lives in the rural part. Farmers, ranchers and others who use animals legitimately have voiced reasonable and serious concerns. Anyone looking at them would say that they have brought forward valid concerns, particularly those regarding some of the implications of the bill with regard to the cruelty provisions.

It really puts a member in a somewhat untenable position where he or she would appear to be voting against some good laws to protect children from dangerous predators. These are aspects that we would agree with and would want to have in place the sooner the better.

Placing animals and children in the same bill really demeans the value of human life. It puts them on the same level and it ought not to do so. It also prevents the House from fully considering the impact of the animal cruelty provisions. It does not allow for fine tuning so that no harm is done to those who make their livelihood from tagging, branding and handling animals in certain ways and that the provisions do not adversely affect the economic circumstances of many rural people of Canada including those in my riding of Saskatoon—Wanuskewin. With Bill C-15, there is a possible allowance for prosecuting these people under criminal law.

The Canadian Alliance does not condone animal abuse and would fully support the aim of a bill to increase penalties for those practising intentional animal cruelty. However we are opposed to substantive changes to the law that would change the definition of what constitutes a criminal offence in terms of animal cruelty.

The Minister of Justice tries to reassure us that she does not want to prohibit presently acceptable and legitimate activities in Canada in relation to the agriculture or fur industries. Why then does she not simply increase the penalties for practices that are already criminal offences and make that particularly clear in Bill C-15?

Government Orders

The manner in which she has gone about this breeds discouragement and discontent. It does not serve the Canadians well. It makes for a fair bit of cynicism in a populace where there is already a lower voter turnout. We need to be doing all that we can to heighten regard and respect for the Parliament of Canada.

The approach taken by the Liberal government to lawmaking shows a very callous disregard to the real needs of the public across Canada and to the constituents who expect us as individual members to serve their best interests in the House.

We have pleaded with the minister and the House leader to split off those provisions dealing with animal cruelty and amendments to the Firearms Act. Bloc members that supported the firearms provisions have concerns now as they are hearing from constituents across their province. That is all the more reason for some of that to be split off and provided for in a separate manner.

The very technique of bringing forward a motion to split the bill would accommodate the need to move those provisions that have broad consensus. We could move them forward quickly, get the protection for children and various other areas in respect to police and so on, and subject the others to a more rigorous and full debate for better legislation. That is what we are all wanting and hoping to come out of the House.

I want the public to know that we have asked for this time and again. Canadian Alliance members will find it necessary to vote against Bill C-15 because of some of the wrong elements we find in it.

● (2010)

We would like to do that in a show of collegiality. Unfortunately it would not be if there is no splitting of Bill C-15. Many of us in good conscience will not be able to support Bill C-15 unless at a late hour there will be some provision to split it so that we can end up with some better legislation for all Canadians as a result.

● (2015)

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, I appreciate the opportunity to take part in the debate. Many of the comments I would like to make have been made quite eloquently by previous speakers. However there are some points I would like to add in order to add clarity and in some cases to point out the contrast in the point of view of our caucus.

We believe there is a role for omnibus bills in the House of Commons. The very idea of having an omnibus bill is not in and of itself some affront to democracy.

There are times when using the omnibus bill as an instrument to achieve administrative tasks helps to speed up issues of social justice. Bill C-23, the same sex benefits legislation, was passed in the 36th parliament. We would have used the entire parliamentary session on that one subject had we been forced to go through the laborious process of debating each stage or every bill that had some reference to same sex benefits. By using the omnibus bill process we were able to implement those changes with one debate. I believe the public recognized that and appreciated what we were doing.

What we are dealing with today is quite a different matter. We are not dealing with one subject spread out over many different bills. We

are dealing with many different and unique concepts within the realm of the criminal justice system. These are all quite separate issues which merit individual debate and which have complex circumstances surrounding them.

It is hard to justify using the instrument of the omnibus bill in dealing with these things. It makes one wonder and a bit suspect of why the government chose to fold all these together into one package.

Having heard many of the speakers today, I am ready to accept a bit of subterfuge on the government's part. It is a way of introducing through the back door subject matter or bills that it does not really want debated in the full light of day under the scrutiny of debate.

It puts members in a very awkward position. It does a disservice, not only to the issues which have merits of their own that warrant the full scrutiny of public debate, but also to the many Canadians who are waiting in many cases for years to have these issues dealt with by parliament.

The one example that everyone cites first is the luring of children on the Internet for the purposes of sexual exploitation. That has been around in the form of private members' bills since I came to parliament. Chris Axworthy, the former member for Saskatoon—Rosetown—Biggar, had a private member's bill dealing with that subject as early as 1989.

A significant number of Canadians flag this as a serious social problem and look to parliament to intervene by finally introducing some steps to put a stop to this terrible threatening practice to the nation's children. Those people have been waiting for a decade or more for some satisfaction, and now they are being held up again unnecessarily.

We all agree that if it were introduced as a separate bill we could have adopted it in one day with unanimous consent of the House. That is how the debate around that subject has matured and developed to the point where consensus has been reached. That is something we all agree we want.

● (2020)

The government then ties to that, attaches and suckers on to that, a number of things where frankly there is no agreement reached. In other words it is trying to sneak some things in through the back door, cashing in on our eager and genuine interest to have that one particular bill passed.

The analogy I would use, and I think others would use it, is that it is like tied selling. In the financial community there is an unethical practice called tied selling. If people want to finance mortgages through a mortgage broker, the broker will not give them a good rate unless they also agree to do their car loans through that broker and put their credit card loans through that broker.

In other words the deal is packaged. In order for those people to get what they want, they will have to accept a bunch of things that they neither want nor need and are vehemently opposed to, as in the case of a number of opposition parties that have spoken against some of the other issues.

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Another example where there is broad consensus across the country is that we would be eager to adopt and accept readily the issue of the laws dealing with crimes where people disarm police officers and execute crimes with weapons they have taken from them.

Members of the police association visited most members of parliament. I think they went away feeling that just about every member of parliament in the House committed to them that if and when that piece of legislation came forward it would have broad acceptance in the House.

That is one piece of legislation we could agree on. Again it could be dealt with tonight if there were the political will. That could be introduced and we all believe the country would be a better and safer place for it. Yet it is being held away from us. It is being deliberately kept out of arm's reach by the ruling party, by the Liberal government, so that it can force down our throats a bunch of things that we are not interested in, we do not want, and some people are vehemently opposed to.

This is a bastardization of democracy as has been pointed out by other opposition members. It affronts basic democratic principles when the omnibus bill process is used in that way.

Another issue I very much want dealt with from my own personal point of view and the point of view of the riding I represent, an inner city core riding in downtown Winnipeg, is home invasion. We would finally have legislation, were this bill to ever get through, to deal with the relatively new issue of people being accosted and assaulted in their own homes by thugs.

This piece of legislation would contemplate dealing with that type of break and entry differently from a normal break and entry. That is valuable. That is important. That is necessary. Canadians want it. Canadians are eager for it. Again it is being denied to them so that the government can achieve other secondary purposes.

It makes us wonder if it is really worth it. The three things I have cited are of great importance and of great interest to Canadians. What is so special about the cruelty to animals bill, for instance, that is worth denying Canadians what they want in all these other important areas of criminal justice?

I have heard the subject raised. I am not from a farm background. I have a more difficult time grasping the concept. However, as I understand it, and perhaps people could correct me if I am mistaken, the bill would almost humanize animals to the point where the treatment of an animal would be the same as the treatment of a human being in terms of cruelty.

That is a huge leap which warrants debate. That is the type of debate which should take place independently in the House of Commons because it is a fundamental change in the way we view the world around us. It should not be bunched in with a bunch of other pieces of legislation.

For those reasons I too as an opposition member am critical of this use of omnibus legislation. I want to see legislation on child pornography on the Internet. I want to see home invasion legislation and I want to see the disarming of police officers specifically referred to in the criminal justice code. The other things I am not interested

in. Let us hide them, separate them, deal with them quickly for everybody's best interest.

● (2025)

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Madam Speaker, I have been listening for several hours now to this debate on the two motions, the amendment and the amendment to the amendment on the possibility of splitting Bill C-15, an omnibus bill.

It seems to me that there is a fairly strong consensus among those who have spoken so far. Unfortunately, the government members have been rather quiet, but it seems to me that a lot of common sense has been reiterated since the start, namely that a number of parts of the bill on which there is consensus in the House could be passed quickly.

There is consensus on the whole part on measures to improve the protection of children as there is on amendments to the criminal code on harassment. There is consensus on a series of provisions in the bill. The problem at the moment is that there is a much more thorny part, which concerns the rather vague definitions involving the section on the protection of animals. There are concerns and apprehensions about some of the definitions.

In order to do our job properly, we must spend some time there. Energy is required on it. Not everyone is convinced that the bill as worded in this part, although the objective is good, is well structured and will stand up to the many questions we receive from farmers and hunters and other groups.

The proposal of the opposition parties is fairly simple "If you want to move quickly, split the bill". This would allow everyone to do their job properly.

I heard my colleague from Berthier—Montcalm say "Listen, when a bill like this ends up in committee, where on the same day, in the same week, such different questions will have to be studied requiring experts who will talk of controlling pornographic material on the Internet or of some other aspect such as police protection or of cruelty to animals, are the members going to be able to do a real and valid job?" We can assume it is unlikely.

For those who have not followed this closely and who are listening today, an omnibus bill is a catch-all bill into which one puts almost anything so that there are a few very controversial measures mixed in with some good ones. Then will tell those who do not support the entire bill "You did not want to support this major part of the bill which was so good for everyone".

I see members in the House who said exactly the same thing when they were on this side. It seems that when one walks the twelve feet that separate us, one leaves a number of things behind forever. This contributes to the skepticism people feel towards our institutions and our work. It discredits what we do.

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This is a wonderful opportunity and there is good faith on the part of opposition members. This week, on an issue which took up a lot of time, which is very important and which has been in the news for a week, we behaved responsibly. We co-operated with the government. We supported it.

Now it is the opposition parties who are appealing to the government. They are saying "Please, let us do our job. Split this bill. Let us quickly pass the parts we all agree on, and we will take the time to look at what is contentious".

The Bloc Quebecois tends to be in favour of the bill. Our support is far from guaranteed. Unless changes in attitude, and in substance, are forthcoming, the government could find itself pretty isolated. I hope that there will be government members who will come to their senses and add their voices to ours so that members can do their job properly.

Since I have one minute left, I will conclude by saying that this is a responsible attitude on the part of the opposition parties, who are making an appeal to the government. We should pass the motion to split the bill. Let us quickly pass the part having to do with children, the part on which there is consensus, and examine in greater depth the rest of the bill, which is the subject of disagreement and debate.

The Acting Speaker (Ms. Bakopanos): It being 8.30 p.m., pursuant to order made earlier today, the House will now go into committee of the whole for the purpose of considering Motion No. 12, under government business.

* * *

● (2030)

CANADA-U.S. MEETING

House in committee of the whole on Government Business No. 12, Ms. Bakopanos in the chair.

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

That the Committee take note of the planned meeting between the Prime Minister and the President of the United States,

He said: Madam Chairman, earlier today some members of the House approached me with a very constructive suggestion, namely to have a debate in the House prior to the Prime Minister of Canada going to the United States on Monday to meet the American head of state and discuss the serious issue before us today.

Following this request—I take this opportunity to congratulate the House leaders of the opposition—I contacted a number of my colleagues and all the House leaders. Everyone agreed that it was a good idea and quite the thing to do.

What I would like tonight—it is my wish of course but it does not mean that it is the wish of everyone else here—is to be able to say that everyone of us will take part in this debate so that tomorrow our Prime Minister will be able to take with him *Hansard*, the *Debates of the House of Commons* when he goes to Washington on Monday and, fortified by our support and the reasonable and constructive position we will put forward this evening, say "Mr. President, not only do I believe such and such a thing, but parliamentarians in the House of Commons gave me such and such information and I have their support".

I believe that this should be the approach guiding us tonight through the debate on the motion before us. It can be. Will it be so? Of course. The onus is on us to meet the challenge.

The motion before us this evening, its form, its context and the kind of debate we are holding were the subject matter of a unanimous motion moved in the House earlier today. This means that, at least at the beginning, there was a consensus on how to proceed to inform the Prime Minister of Canada of the House of Commons' wishes.

We had, a little earlier today—and we had it on two occasions because later we had to move an amendment to the original motion—twice at least this unanimous intent in the House, namely that we wanted to pass on to our Prime Minister the representations made to us by our constituents across Canada.

I hope this approach will guide us, our comments will be reasonable and we will then be able to forge ahead.

[English]

I take the opportunity to congratulate members who in recent days have seen fit, many times and in various ways, to raise issues that are important to Canadians. They have done so in ways that were generally reasonable and appropriate given the gravity of the situation. They were perhaps not always reasonable but I will not get into that.

I thank colleagues and citizens from across the country who joined us on Parliament Hill on September 14. Some 75,000 or 100,000 people strong, I am not sure how many, came to show Canada's deep affection for the citizens of the United States, our sympathy for the families of the people who died, and our resolve and strength as a nation to combat and rid the world of the terrible scourge of terrorism wherever it exists.

That was the statement made last Friday by all of us who were here. It was the statement made on Monday when we had an excellent debate in the House of Commons. At the end of the debate a motion of support expressing the sentiments of the duly elected representatives of the Canadian people was transmitted by the Speaker of the House to the United States Congress.

I congratulate House leaders of all parties for agreeing to the forum on Monday in addition to what we are doing this evening. It was equally constructive. I reiterate my appreciation to everyone involved.

Canadians and Americans share a long friendship based on the values of democracy and freedom. We share the northern end of the continent. We are allies in NATO, in North America and in our geography. Our alliances have been tested time and again, in times of war and through the long cold war confrontation. They have been tested continuously because we have lived near an undefended border all this time. Both sides have done particularly well in living up to the challenges two nations face when they live side by side.

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Immediately after the tragic events of September 11 our Prime Minister left his official residence and came to Parliament Hill as a statement that we as Canadians would not be bullied, overcome or put in a position where we were not fully in control of this great country. He did so within minutes and I congratulate him for it. He immediately made a public appearance to pledge that Canada would stand by the United States.

On Monday he will visit President Bush in the White House to discuss how we can work together to forge a coalition, conduct a campaign against terrorism and protect the citizens of our two countries and indeed the entire world.

When the Prime Minister sits with President Bush it will be as the head of a sovereign ally. Canadians are in charge of Canada. Yes, we are allies of the United States and shall continue to be, but both countries stand side by side.

Canada and the United States have an extensive and close defence relationship. Our forces are capable of working with American military units across a broad spectrum of roles. They have done so before.

• (2035)

My colleague, Canada's foreign affairs minister, has stated that Canadian soldiers have fought before in the defence of liberty and that we have to stand for the principles that our country was founded on.

Yes, we will do our part, but the government is also clear that it will be Canada as a sovereign country and we as Canadians will decide our role. We will do that collectively. In fact, all of us speaking tonight in the House is a form of that. We are telling the Prime Minister and giving him the feelings of our fellow citizens so that he can express them as the leader of a sovereign nation to his counterpart in the United States.

I will conclude by saying something about who our foes are and who our foes are not. Our foe is not somebody else's religion. Our foe is not Islam. Our foe is not another religion. It is not another colour. It is not another language. That is wrong. It is wrong to think, if anyone does, and unfortunately a small group of people do here and there, that other religions, other faiths, other colours or other races could be the enemies of peace. They are not. That is not true. I believe that if all of us can give a strong statement, as many people did on Monday, to the effect that people of all races, colours and languages are united with all of us to make this country and world a better and more peaceful place then we will have accomplished something additional in this evening's debate.

• (2040)

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Madam Chair, I enter the debate this evening with an obvious concern and the worry most Canadians share at this time. The unfolding events since the terrorist attack on the United States last week have gripped the world. It is an anxiety ridden time. At each moment we await further developments in this escalating situation.

Last Tuesday the world stood transfixed, staring in disbelief at the television screen. Slack jawed, spellbound Canadians watched in living colour the unspeakable atrocities being committed live against

the country's closest ally and de facto protector. This horrifying example of hate will be forever etched in our minds.

The Prime Minister has been invited by President Bush to meet with him in Washington next week. The meeting is probably the most important one the Prime Minister will ever have. He will no doubt be asked to define Canada's contribution to the anti-terrorist military campaign led by the United States and dubbed Operation Infinite Justice.

While the catastrophic events took place on American soil, it is now evident that no country or its citizens are immune from this terrorist scourge. In an article this morning, the former chief of strategic planning for Canada's spy agency, David Harris, issued a grave warning to Canada, saying a terrorist attack on Canada is imminent and adding that as far as Canada is concerned it is coming. The CSIS annual report alerted Canadians to the fact that 50 terrorist organizations are already established in Canada. Mr. Harris added that Canadians have been too relaxed for too long, thinking that terrorists will not strike here.

In contrast to the Canadian complacency, we saw in the person of British Prime Minister Tony Blair a swift and decisive individual providing strength and comfort in a time of crisis. Mr. Blair, leading a government that has led the way with tough anti-terrorism legislation, has made it absolutely clear that Britain will support the United States completely, including with military support if requested.

All the lethargy, inaction, procrastination and self-delusion will not make the problem go away. The Prime Minister has said he will tell President Bush not to make a sensational short term gesture. President Bush has already indicated that this will not be the case and the struggle we are in and the manner in which he will conduct himself will be of a protracted nature.

What has the Prime Minister of our country to offer? Indecisiveness is not on the table. As Lee Iacocca used to say, "Lead, follow or get out of the way".

What Canadians are expecting is a clear commitment from the government that will put the safety and security of Canadians first. They want to see the government commitment to bringing in comprehensive anti-terrorism legislation. They want to see increased safety and security measures at our borders, at our airports and on our airlines.

They want to see increased resources put into our military, police and intelligence services, especially CSIS and the RCMP. They want to see a clear commitment from the government that it will stand by the United States every step of the way, including participating in military action if necessary, as is our obligation under article 5 of NATO.

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This week Canadians learned everything the Prime Minister was not prepared to do or enact to fight terrorism. Tragically, we learned little about what he was prepared to do. He was not prepared to enact anti-terrorism legislation along the lines of that already in place in the United States and Britain. Despite all the evidence and argument proffered by the Canadian Alliance, the Prime Minister remained stubborn in his resolve not to rock the boat. When the Canadian Alliance presented the House with a motion asking the government to refer to committee draft legislation to deal with terrorism, the government refused it.

I do not know what part of our motion the government disagreed with. Was it against naming all known international terrorist organizations operating in Canada? Was it against a complete ban on fundraising activities in support of terrorism or terrorist organizations? Was it against the immediate ratification of the International Convention for the Suppression of the Financing of Terrorism, signed by the government in 1999 but still not brought into force?

Was the government against the creation of specific crimes for engaging in terrorist training activities in Canada or inciting terrorists to act abroad from Canada? Was it against the prompt extradition of foreign nationals charged with acts of terrorism, even to countries like the United States where terrorists might face the death penalty?

Was it against the detention and deportation to their country of origin of any people illegally in Canada or of failed refugee claimants who have been linked to terrorist organizations so that an incident like the Ahmed Ressam case never happens again?

• (2045)

I do not know. All I know is that the government was so opposed to these ideas that it would not even send these proposals to committee in draft form.

One critical element that sustains this terrorist network is money. The Canadian Security Intelligence Service has repeatedly raised the warning flag about fundraising activities on our soil. As a signatory to the 1999 United Nations Convention for the Suppression of the Financing of Terrorism, Canada agreed to take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, but little has happened since Canada signed this United Nations convention.

Instead, the government is satisfied with an existing piece of legislation that would deny charitable status to the groups deemed to be channelling money to terrorist organizations. In other words, we will not ban terrorist financing, we will just take away tax write-offs for terrorism. What a hollow and shameful response by Canada.

Rather than use the United States and the British anti-terrorist acts, Canada assumes that normal posture of "We will deal with it in the future". Is it laziness, negligence or just plain hubris in the face of catastrophic consequences?

Similarly, the Prime Minister was not prepared to implement measures to ensure security at our borders, at our airlines or at our airports.

We have seen no proposals that deal with better screening of refugee claimants to weed out security risks. We have seen a

dismissal of the American proposals for joint immigration and refugee policies with the United States, our so-called best friend and neighbour, and a secure North American perimeter.

Adding to the list, the Minister of Transport said he was not prepared to add sky marshals to our planes as the United States is implementing. It is too costly, I guess, until he adds up the cost, as a transportation analyst advocated, of having a commercial airliner ram into one of Canada's commercial high rise towers.

Nor will the Prime Minister and the government commit to doing what is necessary to restore the resources to the Department of National Defence, the RCMP, CSIS and other security agencies that have been brutally cut under the Liberal government.

There is no way that the Canadian forces, which have declined from 90,000 to 55,000 personnel under the government, would be capable of deploying the troops promised to NATO under the 1994 defence white paper if military action becomes necessary.

The RCMP has been slowly bleeding, while CSIS has been slashed, losing 40% of its staff under this government. How can we hope to track criminals and terrorists like Ahmed Ressam if we do not fund our police and intelligence services?

Accordingly, the Prime Minister continued on this path of identifying what he would not do by not pledging the support of our armed forces to the cause until asked. What will it take for the Prime Minister to tell Canadians what he will do to deal with this terrorist evil? A poll today shows that 81% of Canadians want us to participate in a military coalition against states that sponsor terrorism, but the Prime Minister will not tell the House whether he agrees with 81% of Canadians unless the president asks him first.

On this side of the House, we think Canada has a moral obligation to send military support if requested. By invoking article 5 of the NATO charter, Canada has agreed that the cowardly terrorist attack on the United States was an attack on Canada as well and we are obliged to assist with military forces if requested.

As the U.S. ambassador has said:

Canada has a military capability that has helped the United States, that has helped the world, and we would hope that they would help us now.

Canada has an obligation to act. We hope that when the Prime Minister meets President Bush he will commit Canada to concerted action against terrorism.

Today in Brussels, European justice and interior ministers approved urgent measures to combat terrorism, including much closer co-operation with Washington. The ministers agreed to adopt by December a common definition of terrorism and a Europe wide arrest warrant for suspects accused of serious crimes. They endorse proposals by the European commission executive that would harmonize police and judicial action and close loopholes that have hampered arrests and extradition processes across EU borders.

I quote the ministers:

We are determined to take the necessary steps to ensure that European citizens are provided with the highest level of security so that any future attacks are thwarted.

In other words, European ministers told citizens of the union what they were prepared to do, not what they would do.

It is the Prime Minister's turn. He will have the opportunity with President Bush next week. How is he prepared to help our best friends and neighbours? We know only too well what he will not do. That is not what Canadians or the president of the United States want to hear.

● (2050)

Mark Twain in defining courage and decisiveness said, "In the beginning of change, the patriot is a scared man, brave, hated and scorned. When the cause succeeds however, the timid join him, for then it costs nothing to be a patriot".

Will the Prime Minister go to Washington and stand now or will he join later?

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Madam Chairman, this evening's debate will enable the Prime Minister to have a better idea of what the members of this House think the message to be passed to President Bush on Monday should be.

First, I am sure the Prime Minister will extend his condolences to the U.S. President on behalf of this House, all parliamentarians and the general public, and will assure him of the solidarity of the people of Canada and the people of Quebec toward the American people.

That said, the Prime Minister will have to remind the President that the terrorists attacked all democratic countries by attacking New York and Washington. This is something the Prime Minister has already said here in the House, as have all parliamentarians, and President Bush himself. It is important to establish this right at the beginning of the meeting, in order to see within what framework the response will take place, and what will be done after that, because more than retaliation will be necessary. This is the framework within which the meeting between the Prime Minister and the U.S. President must take place.

Canada will have to bring pressure to bear to make sure that the retaliation is effective. In order for this to be the case, a broad coalition will be necessary, the broadest possible. At the moment, there is the coalition within NATO. The ministers of foreign affairs and of defence of the European Union countries met today, thus expanding the coalition.

Steps must be taken to ensure that the coalition involves the United Nations, thus bringing in all the peoples of the world, because terrorism must not be viewed as involving only the western

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countries, the rich or the powerful countries, but rather all of the countries in the world.

We have seen what happened in the United States, but the first victims of terrorism are, above all, those who are suffering in Afghanistan every day under the Taliban. These are the ones who have lived under pressure and dictatorship for years. That is where it all starts.

The retaliation, therefore, must not be limited to the rich countries, but must involve all of the world's peoples, because terrorism affects all countries. Terrorism knows no nationality, no creed, no colour.

The same should go for democracy, and I am using the conditional because it is not so. It should have no nationality, no creed, no colour. As I was saying on Monday, we must be respectful of God and Allah, and not get them involved in the wars of men. We must not fall into the trap of the empire of the good against the empire of evil, of the good guys against the bad guys. This only serves the bin Ladens of this world. It is a fundamental mistake.

Our response must be effective and measured. Monday's motion said that those responsible must be brought to justice. In order to respond to this vicious attack, we must consider all the options. But under no circumstances should retaliation be directed at civil populations. We must never forget that the people of Afghanistan are not responsible for bin Laden's actions.

Democracy and freedom have nothing in common with ignorance, obscurantism and violence. The Prime Minister must make sure that the U.S. president takes into account certain fundamental elements based essentially on the attitude advocated by the Prime Minister himself, namely patience and wisdom.

I think this attitude must guide our actions at all times. We must remind the U.S. president that, when we talk about building the largest possible coalition, it means that we cannot give carte blanche to the United States, no more than to any other country. A coalition means that decisions are made collectively after taking all the time necessary to have an informed debate in order to consider all aspects. We must stay away from populist solutions, and easy solutions inspired by panic. We must not sacrifice the freedoms that we have here.

● (2055)

That would certainly suit those who attack freedom, civilization and democracy. Thinking that law and order will resolve everything means starting from scratch.

When I spoke of the need to bring the perpetrators to justice, that presupposes making every effort to ensure that an international court of justice could hear the case of the individual in question, whom everyone suspects to be Mr. bin Laden. If the strikes indeed represent an attack on the international community, should the tribunal not be an international one? If we want only countries which oppose extradition of the individuals charged to countries with the death penalty, a lot of European countries and Canada, there is a problem. If we want Arab countries to be part of the coalition, we have a problem.

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At that point, the international tribunal could decide in an exemplary and democratic fashion, which does not fall into another dangerous trap in which we might end up with people who were the victims—I understand their legitimate anger, but it is not useful—a tribunal that is judge and jury, and carries out the sentence.

Madam Arbour, who is now with the Supreme Court, was the driving force behind the international criminal court. Milosevic is not being judged in Croatia, or Bosnia or Serbia but before the international court. Therein lies the strength of the sanctions taken against those who attack democracy and humanity.

Likewise, we must do everything to create—I know the court does not exist at the moment—an international criminal court that is ad hoc so long as the treaty on the international court of justice has not been ratified. We did this in Rwanda and for the former Yugoslavia. I think this provides a lesson to all the dictators of the world, who want to play the same game as Milosevic or Pinochet. We saw, in the case of Pinochet, both Belgium and Spain levelling charges

Similarly, I think that, with the help of the Europeans, we must do everything possible to ensure that the guilty parties are brought before an international tribunal.

That having been said, despite all these conditions, the fact remains that as long as we do not address the basic causes underlying the development of terrorism—extreme poverty, oppression, dictatorships, the absence of democracy, despair, and loss of hope in the future—we will solve nothing. This is what children are facing daily in some regions of the world. They cannot imagine themselves alive in a few years' time. Thousands of the world's children die every day. It is this hopeless—if we do nothing—but explosive situation which gives rise to terrorism, fanaticism and religious fundamentalism, just as a mushroom will spring up in rot.

If we do not address these basic causes, we will perhaps succeed in doing something about bin Laden, but others like him will spring up. This is unfortunately the fact of the matter. We did this in 1991 with the gulf war. We went after Saddam Hussein. Who is now the leader of Iraq? Who is suffering in Iraq? Not Saddam Hussein. Right now, the Iraqi people are suffering and Saddam Hussein continues to reign, not just in Iraq but throughout the region.

So we would be deluding ourselves to think only of technical solutions, which would let us play hardball but which would ignore the heart of the problem, one that allows terrorism and fanaticism to take hold.

I will conclude by saying that I hope that the Prime Minister will be able to say to the U.S. President “When I take a decision on behalf of Canada with respect to any major intervention, I will take it as democratically as possible, with the support of the House of Commons”, which will mean a vote, which was what his party demanded at the time of the gulf war in 1991.

• (2100)

When one demands something while in opposition, one must be equal to those demands once in power.

This is what the Liberals called for in 1991 and this is what they must do now. The message will carry that much more weight and will strengthen the international coalition accordingly.

Right Hon. Joe Clark (Calgary Centre, PC/DR): Madam Speaker, I appreciate the opportunity to take part in this debate tonight. I agree in principle with the position of the leader of the Bloc Quebecois concerning the role of parliament.

I think our situation and our position have, changed. It is in the interest of Canada to have a situation where parliament will have an opportunity to vote on all major international commitments in the future.

[*English*]

I express my thanks to the member for Winnipeg Centre who recognized my difficult travel schedule tonight and gave me the opportunity to speak before he did, on this occasion only I am sure he would want me to say.

Everybody in the House agrees that terrorism must be fought and that it requires Canada to take its place with other allies against terrorism. The debate tonight is about two issues: first, what a country like Canada should do; and second, how a democracy like Canada should do it.

The Prime Minister will go to Washington on Monday. The Americans will have a series of demands. We know what some of them will be. They will ask him to stop money to terrorists, to stop movement by terrorists, to crack down on terrorist cells or activities in Canada, to extradite or deport people who are wanted for crimes and return them to the countries where they are wanted, and to declare no tolerance for nations or entities that support terrorism.

The country knows that the Prime Minister goes to Washington on Monday with the goodwill of Canadians but these are complex issues. As the leader of the Bloc Quebecois has just indicated, there are dimensions to some of the considerations Canada will have to take in the months and years to come that will be very complex.

The Prime Minister would have had much more authority in Washington on Monday speaking for Canada if he had consulted this parliament in detail before he went to Washington. In addition to responding to the President's demands, I would hope the Prime Minister would also make Canadian proposals.

I hope he would outline precisely what Canada is prepared to do militarily. I hope he would lead in establishing multilateral auspices as Canada led in causing the gulf conflict to be conducted under the auspices of the United Nations. I would hope that he might propose initiatives that Canada might take with countries that are critical to this issue and countries where Canada has an unusual influence because of our association in the Commonwealth and la Francophonie, and our long association with international development. I hope he would set forth Canadian concerns about sovereignty and liberties which an international response simply has to consider.

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Again, the Prime Minister would have much more authority in Washington had he discussed those proposals first, in detail, here in the Parliament of Canada. Instead, the government is shutting parliament and Canadians out. Compare the situation with that in the United States where Congress right now is actively acting to consider methods to improve security and where Congress is briefed regularly on security and intelligence matters. On the very first day of this crisis, this government should have put the committees of parliament to work so that our transport committee could look at ways in which our transport system could be made more secure and so that our immigration committee could have done a similar thing.

Sadly, all that elected representatives can do here is debate, a debate which the Prime Minister may or may not attend or pay attention to. There is a very sharp difference between the systems. Canadian legislators are allowed to talk. American legislators are encouraged to act. That is a difference that does not serve this democracy well.

Look at the deliberate confusion the government has created about terrorist cells in Canada. First the minister responsible said that he is not responsible, that it is the RCMP, that it is CSIS. Imagine Janet Reno having said that about the FBI at Waco.

When I asked the Prime Minister whether the al-Qaeda cells of bin Laden were or had been operating in Canada, he said he did not think so. CSIS said yes. The international journal *Jane's* said yes. The king of Jordan said yes. Then the government said the information was too sensitive to be trusted to the people of Canada and parliament.

• (2105)

[Translation]

The government does not seem to understand the concern and the anxiety of Canadians since these planes crashed on the Pentagon and into the twin towers in New York City.

Ordinary people died when they were going about their lives as usual. Throughout the country, ordinary people are now wondering which of their usual activities could now cost them their life.

They need reassurance. They need comfort, but they also want to be told the truth. They want to know the facts as they are. If terrorist cells are present in Canada, they want to know it. The government should be straightforward with those it represents.

[English]

In the aftermath of terrorism, we are trying to restore order to the world, but we also have an obligation to restore peace of mind to ordinary Canadians whose world has been turned upside down. Ordinary people were killed for doing ordinary things just the other day. That creates fear. We must create a peace of mind in the country.

How do we do that in democracies? We set out the facts. We do not hide them, as the government is hiding information about terrorist cells. We demonstrate active leadership. We have cabinet meetings, as the British did. We put legislators to work, as the Americans did. We initiate immediate action on issues that matter to people, as the European Union just did on border matters.

When we ask questions in this parliament, the government replies with scorn. Just yesterday when I asked a question, the Prime Minister belittled my experience in these matters. Well, I do have some experience in these matters. My diplomats were able to get American hostages out of Iran. I cast Canada's vote to have the gulf war conducted under United Nations' auspices. I was part of a government which made the leader of the NDP at that time a privy councillor so she could receive confidential briefings. The government could do that now to ensure that information was broadly shared in this parliament.

I briefed parliament and Canada regularly in detail day after day through the gulf war. The government could do that now if it cared about a consensus in this country.

There are others in the House with other experience who could help Canada now. There are Canadians outside the House whose experience Canada needs. There are millions more who are seized by a sudden fear and who wonder if the reason their government is so secretive is because it does not know what to do.

We hope the Prime Minister will come into the House tonight and tell parliamentarians first what he intends to tell the president of the United States on Monday. This is not about courtesy. This is about authority. If the Prime Minister is to speak with real authority for Canadians, he has to deal honestly and openly with Canadians. I sincerely hope, that he will do that.

• (2110)

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Chairman, I rise today to join with all Canadians who are still in a state of shock and who are trying to deal with the overwhelming feelings of anger, pain and rage that we all share.

In crafting a message for our Prime Minister to deliver to President Bush, I want to begin that by reaffirming that the New Democratic Party joins with citizens around the world in demanding that the perpetrators of the heinous crimes be tracked down and punished. However the NDP caucus also calls for reflection and restraint in our response.

Today I want to reinforce the plea that the same values that cause us to be outraged and repulsed by these acts of barbarity must guide us all as well, and particularly guide world leaders in their response. I believe that our Prime Minister, on behalf of all Canadians who share those sentiments, rose to the occasion and provided very sound counsel and advice in his immediate reaction to the tragedy.

In these extremely dangerous times it is essential that we reaffirm our commitment to pursuing peaceful solutions to the tensions and the hostilities that breed such mindless violence in the world.

Government Orders

In the immediate aftermath of the horrific death and destruction, people understandably were driven to demand instant, massive military retaliation to these terrorist atrocities. However, as freedom loving citizens have grasped the complexity and the magnitude of what happened, the imperative of a more measured response, a more multilateral response and a more informed response must form the basis of our actions.

“Not to respond would be unthinkable: It would diminish and demean American leadership and it would surely invite further attacks” wrote Charles G. Boyd, a retired air force general, in Wednesday’s *Washington Post*. “But to react excessively or inaccurately” he wrote, “would put us on the same moral footing as the cowards who perpetrated yesterday’s attack”.

Canadians know that we have a very special relationship with the United States of America and that we value that relationship with our neighbour to the south, but we also have a very special role internationally. If there was ever a time that both our neighbours to the south and the world needed to hear the voice of Canada, it is now.

Our neighbours were thrown into a state of shock last week. As the depth and the breadth of personal tragedies come to grip their collective soul, the cry for vengeance from many quarters will surely grow louder. As America’s closest neighbour and friend, we owe it to them to listen and to support them but we also must give them the benefit of our understanding of the events. A true friend lends a guiding hand when someone is blinded by grief and rage.

The cry from America today and from around the world is that this can never be allowed to happen again. We must resolve to see that this can never happen again, but if we pursue the path of blind vengeance, the path of the clenched fist, we are guaranteeing that this will happen again. Military strikes, while they may satisfy an understandable desire for vengeance, will solve nothing if thousands or more innocent people are victimized in some other part of the world.

We are not advocating absolute pacifism or appeasement in the face of aggression. The international community must spare no effort to bring to justice all those responsible for these atrocities and to rid the world of the scourge of terrorism.

If the initial assumptions of culpability and inspiration about this attack are true and this is the latest gruesome chapter of an ever expanding cycle of violence that has already claimed cities, countries, and whole generations, then how does it increase our security to bomb countries into the stone age? In the case of Afghanistan someone else already beat us to it.

I would like to address the very disturbing developments over the course of the past week where visible minorities have been targeted by people looking for scapegoats both here in Canada and abroad. Other leaders have addressed the issue as well.

An ugly and horrifying incident occurred in the fire bombing of a mosque in Montreal. There was an incident even closer to home of an Arab youth who was beaten and put in the hospital in the city of Montreal.

The Canadian Council for Refugees, in a statement of September 14, wisely reminded us that many Canadians came to this country to escape from violence and persecution on the basis of religion, race and nationality.

•(2115)

Refugees and immigrants are as horrified as anyone by the events and they condemn this violence. Canadians need to work to ensure our country is a haven from hatred and any kind of discrimination.

In the coming days we will hear more arguments that we need to re-examine our immigration laws and policies. The NDP caucus firmly disagrees that we must harmonize our immigration with the United States. We also reject out of hand a perimeter concept of our international security obligations.

As we debate this issue, we invite all members of the House to remember that their words and their passion can excite and they can have very real repercussions on the many new Canadians and visible minorities that make up the diversity of this country. We call upon them to be responsible in their comments.

It is reassuring to us that so many voices have been heard, political leaders, community leaders and ordinary citizens, counselling against doing anything to create a backlash and to create prejudicial attitudes and actions directed toward innocent Canadians.

With this message let us extend that same concern and consideration to other countries, such as the U.S.A. If we are absolutely in agreement that we must stand against any scapegoating of innocent civilians in our own country, then surely the same consideration and concern has to be extended to innocent civilians around the world.

Canada must be a leader in searching out solutions other than an eye for an eye. We need to call upon our earlier traditions of having a more independent foreign policy. We need to always think in terms of multilateralism. We need to use our special relationship with the United States to represent all progressive and peace loving countries that want to build lasting solutions to the conditions that breed such horrendous violence.

We can surely do no better than to heed the words of John F. Kennedy when he stated that those who make peaceful revolution impossible make violent revolution inevitable.

I appreciate this opportunity to add our points of view for the Prime Minister as he communicates a Canadian message to the President of the United States.

Mrs. Karen Kraft Sloan (York North, Lib.): Madam Chairman, on behalf of the residents of York North, I would like to offer my condolences to those who have lost loved ones in last week’s tragedy.

I was comforted by the words of the Prime Minister when he rose in the House on September 17 to address the special House of Commons debate in response to the terrorist attacks on the United States on September 11. It is the message of that speech I hope he delivers when he meets with the president of the United States on Monday. In his speech the Prime Minister said we should let our actions be guided by a spirit of wisdom and perseverance and we must be guided by a commitment to do what works in the long run, not by what makes us feel better in the short run.

Government Orders

As we journey into the difficult weeks and months ahead, we must remember to hold and check the understandable desire to immediately retaliate with full force. We first need to investigate the identity and location of the terrorists. We need to isolate them and ensure no other innocent individuals will suffer the fate of those who perished in the World Trade Center, in the Pentagon and on the four passenger jets. I hope the Prime Minister is able to deliver to the American president a message of the crucial need for calm, reasoned thinking.

I have other thoughts to offer the Prime Minister as he prepares for his meeting in the United States but first I would like to share my experiences of last week with members of the House. On September 11 I was in Washington, D.C. attending a conference on child environmental health. I listened in horror as I heard the announcement that two hijacked airplanes had been flown into the World Trade Center towers. Shortly after this devastating news, the conference participants were told a third plane had been hijacked and crashed into the Pentagon not far from the conference site. The atmosphere was chilling and surreal. My first thought was now we know how people in strife filled regions of the world must feel.

We soon learned that a fourth passenger jet had been hijacked and was 20 minutes outside Washington. Later we were told it had crash landed in Pennsylvania.

The conference had 400 participants from all around the world. Strangers from different races, countries, religions and cultures reached out as one human being to another in support of each other. The conference organizers from the Canadian Institute of Child Health, the American Child Environmental Health Network, Environment Canada, Health Canada and the U.S. Environmental Protection Agency worked together as a professional, effective, compassionate team. They ensured the needs of the conference delegates were met by setting up medical attention and counselling services, providing phone service to call loved ones, finding accommodations and so on. They are to be commended. Through the efforts of the Department of Foreign Affairs and Environment Canada, two buses were sent from Canada to bring the 57 Canadians attending the conference home.

During the tense hours that followed the destruction of the World Trade Center and the Pentagon, I observed two things I will never forget: first, we are all interconnected; second, people seek to affirm their humanity in the midst of calamity. Strangers started up conversations as though they were long lost friends. People held one another trying to provide comfort. We talked about our families. I think the most often asked question was, "Have you contacted your family yet?"

After the attacks, I acquired a roommate who had been evacuated from her hotel. She is from Kathmandu, Nepal. Nepal is close to the heart of the proposed conflict. I wonder if she was able to get home safely to her two small children and husband. I wonder how safe she and her family will be over the coming months. I also met a doctor from Georgia who is concerned about creating good legislation to protect children's health in his country's newfound democracy. I met a researcher of Southeast Asian descent now living and teaching in Auckland, New Zealand. These are only a few of the people I shared those tense days with.

My daughter was travelling in central Australia. She said there were others in her group who were worried about the safety of relatives in New York and Washington.

● (2120)

A woman my daughter befriended on her trip to the outback is from Ireland. She had a sister flying out of New York on the morning of the attack on the World Trade Center. The world is such a small place.

The people of the world are interconnected. Regardless of nationality, religion or race, our humanity holds us together. It is our humanity we will continue to affirm even in the face of terrorism. This is the other message I hope the Prime Minister will deliver to the American president.

While terrorism is a disease, a pox on the face of humanity, terrorism must not make the Canadian people fearful. We must continue to assert our humanity even in the midst of barbarous acts, and as the Prime Minister has said, by reaffirming the fundamental values of the Canadian Charter of Rights and Freedoms.

I urge all members of the House and all Canadians who are watching tonight not to let the terrorists win by allowing ourselves to fall prey to fear and intolerance.

I have received phone calls in my constituency office which trouble me. They trouble me because they demonstrate hatred toward Muslims and other minorities. I am greatly disturbed that Canadians of Muslim descent have been assaulted.

As the Prime Minister has said in the House, immigration is central to the Canadian experience and identity. We have welcomed people from all corners of the globe, all nationalities, colours and religions. We do this because as Canadians we understand that all people of the world are interconnected and because we value our common humanity.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Madam Chairman, it has been 10 days since that terrible terrorist attack on New York and Washington. It has been an emotional roller coaster ride for all of us, for Canadians across the country and for people around the world. Many people still live in trepidation and fear thinking about what has happened and what might happen.

For us in the House of Commons it is time to get back to work. This week we have been back at the business of governing. As the official opposition it is our role to ask the tough questions of government about this issue. It is our role to show support in areas where we see strength and to point out weakness in areas where we see weakness. That is our job and I intend to do my part in fulfilling that role.

The first priority of the federal government is to protect the safety and security of Canadians and our country. When we combine this thought with the fact that the Canadian forces is the largest single security force in Canada, what would we expect to find? We would expect to find a top notch force, a large force, well funded, well equipped, with the people well trained. We would expect to find the best people possible. Would we expect anything less from one of the wealthiest countries in the world? Would we expect anything less from a country with such a proud military tradition? I think not.

Government Orders

Canadians should be prepared to do their part. Canada of all countries should be prepared to do its part to prevent terrorist attacks and to be able to respond effectively to terrorist attacks when they happen. We should be prepared to work with our allies, our friends, and to protect our friends when they need our help. Our national anthem says "O Canada, we stand on guard for thee". How effective has the government of this country been in that regard?

It is important for all of us to think about what our armed forces do for us. We expect the military to defend against attack, whether it is a terrorist attack or some type of military attack. We depend on our allies to help us. We know we will help our allies should the attack be on them. We expect our forces to meet commitments to our allies through NATO, probably the greatest alliance in military history, and through NORAD, the North American alliance.

We expect our military to meet certain United Nations commitments and they have done so, to protect our sovereignty, especially in our northern waters and northern islands, to deal with any civil unrest there might be in the country, to deal with natural disasters, to provide search and rescue in cases where their help is necessary and to provide disaster relief. We expect a lot from the men and women serving in our forces.

I do not think we spend a lot of time thinking about what our forces really should provide. Why is that? I suggest that part of the reason is that the government does not really believe we need a strong national defence, and it shows.

How often do we hear the government even pay lip service by saying that we need a strong national defence, that our men and women serve well? How many times have we heard the Prime Minister really express pride in our forces and say how important they are to us, say what they do for us, or commend personally one of our best for an act of bravery?

When I think of that, I think immediately of the men and women who served in Bosnia and Croatia in the Medak pocket. They served so bravely that France gave commendations to the whole unit. We expect that Canada and the Prime Minister would show the same kind of support and recognition for bravery and a job well done.

● (2125)

It has not happened. Seven years later it has not happened. That does not really show a commitment to our national defence and the men and women who serve so well.

The recognition cannot be only lip service. The recognition that we need a strong national defence is important but we need more than that. The first responsibility of the federal government is the safety and security of our citizens and our nation.

When we look at our largest security force what do we see? As I have said, we would expect to find a large, well funded, well equipped, well trained force with the best people we can find. What do we find? We do not have a large force. When the Liberal government took office 90,000 men and women were serving in our forces. There are now 55,000. According to the Canadian Institute of Strategic Studies, the number will drop to 42,000 within two or three years if the trend continues. That is a halving of our forces.

We expect the forces to be well funded. What is the reality? In the last nine years funding to national defence has been cut by 30% in real terms. Is that the commitment we would expect for the largest security force in our country?

We would expect our forces to be well equipped. The auditor general says that if things continue the way they are we will have a \$30 billion deficit in equipment by 2012. We all know the state of our equipment now. The Sea Kings are 40 years old. We could go through the list of outdated and obsolete equipment. Ammunition is not readily available. Armaments that we would expect to be there are not.

We would expect to have well trained men and women and in some cases we do. Some of the best men and women in the world serve in our forces. In some cases they are among the best trained. However training is lacking in certain areas. We have not seen brigade level training since this government took office yet we have a commitment to deliver a trained brigade to our NATO allies. Training is lacking in many areas.

As I said, we would expect to find the best people possible. I reiterate again that some of the best people in the world serve in our forces but that is changing because we do not choose people based on merit alone. We no longer choose only the best people. Instead we have let the whole regime of political correctness find its way into our forces. We are choosing based on a group or a gender rather than simply choosing the very best people for the job. While we do have excellent people in our forces, even that is changing.

If one were to look at the state our forces are in right now there is one example that tells it best. Two or three weeks ago Canada was asked by our NATO allies to deliver help to Macedonia. NATO told Canada what it expected from us. What did Canada do? What could we do with the people and equipment we have? All we could deliver was 200 people. Those 200 people went from a NATO commitment in Bosnia to the new NATO commitment in Macedonia. That is like paying off one credit card account with another credit card. That is the state of our forces today but it is not because of the men and women who serve.

Since September 11 we in the official opposition have stated that we are prepared to participate in the war on terrorism within the limits of our capability. There should be no doubt that last week's attack was against Canadians. Forty-five to seventy-five of the casualties were Canadian.

● (2130)

Article 5 of the NATO agreement says that if any ally is attacked it is considered to be an attack on the rest. One of our allies was attacked and that is considered to be an attack on Canada. We must respond and there must be no doubt in our response. Our allies must know that. I am counting on the government to provide that response and to provide it soon.

Government Orders

Mr. Geoff Regan (Halifax West, Lib.): Madam Chairman, after 10 horrible emotional days, there is much for the Prime Minister to say to President Bush.

Canadians have wept many tears during these dreadful days. We grieve for the terrible tragic loss of so many lives. We grieve for the pain and horror of families and friends of victims in the U.S., Canada and other countries. We grieve deeply for the shattered peace of a great nation. We have tried to reach out to Americans and others affected by this evil attack. If there is one thing Canadians are saying to Americans it is that they are not alone.

We have conveyed this message in many ways. Some have phoned, written letters or signed books of condolence. Some have travelled to New York and Washington to offer assistance. Hundreds opened their homes to stranded travellers and thousands volunteered at emergency shelters for those guests. Hundreds of thousands stood in silent vigil on the national day of mourning last Friday and millions have prayed and will continue to do so.

The sense of solidarity is especially strong in Halifax. In 1917, after Halifax was levelled by the largest man-made explosion prior to World War II, great amounts of assistance came from Boston, New York and the entire U.S. northeast. We have not forgotten that and never will.

There is so much more that Canadians want to say to our friends to the south. We share their grief. We share their anger. We share their determination that terrorism must end and we are determined to play our part in ending it.

This was not just an offence against Americans. It displayed a fundamental lack of human decency, a lack of the most basic level of respect for human rights. It was an offence against all humanity.

What did the perpetrators of this horrendous attack think they would gain? Was it revenge? What is to be gained by revenge if it simply provokes a violent response and a spiral of violence? Did they think the American people would collapse in fear and concede defeat? If so, they do not know the Americans we know.

Sure, we have had our quibbles with U.S. policies from time to time, just as there are differences within families, but the Americans are fundamentally good people and they are resilient. To some their strength may appear to be their material wealth or technology but they should not be mistaken. The strength of America is in the character of its people. It is in the ideals and principles upon which their nation was founded, a foundation that cannot be shaken.

The fires of last week forged in Americans a steely new resolve, a resolve that will astonish their enemies. There will be no gain to those who caused the horror. Their cause, whatever it may be, will not be advanced.

What can the world gain from this? What can we learn so that so many lives shall not have been lost in vain? To answer these questions we must first reflect on our basic principles, the tenets of civilized society. We must recommit to the human values of free and democratic society. We must recommit to the bedrock beliefs and values of our two nations. We must resolve to demonstrate respect for our fellow citizens regardless of their religion or ethnic origin. We must be beacons of hope in a world of despair.

Our objective must be to bring to justice the perpetrators of this attack. The campaign will demand a patient and resilient determination. It will be a long struggle, not a short war. We who shall wage this campaign must make careful choices, for it is like a long and multi-level chess game. At stake is the future of the world. Our resolve must therefore include the patience to look well beyond our next move. We must be disciplined in keeping our goal in mind. Our objective, let us remember, is to eliminate terrorism.

Will our response be the wild fury of a chainsaw or the precision of laser surgery? As Dr. Janice Stein said in last Saturday's *Globe and Mail*:

The use of a blunt military instrument may provide momentary psychological satisfaction to outraged and frightened publics, but it will have little real effect on those who have committed these crimes or may be planning others in the future.

● (2135)

In fact she argues that the wrong choice would be counter-productive and the number of terrorists would multiply as a direct result. Canada must therefore bring its influence to bear on these decisions and must be a voice of reason.

However let us make no mistake: We will stand beside our southern neighbours, our greatest friends, shoulder to shoulder in this long struggle. The Prime Minister should tell the president we will work with the United States to defend civilization from future terrorist attacks.

Our world changed last Tuesday and there will be changes ahead, but let us remember that the openness that makes us vulnerable is the freedom that makes us strong. We will need to take steps to increase our security but we must also preserve our liberty. We shall have the courage to live our lives. We will hug our loved ones more often and treasure the gift of life more dearly, but we shall go on. We shall not surrender to the tyranny of terror.

God bless Canada. God bless America. God bless the human family.

● (2140)

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Madam Speaker, I do appreciate this first step in the right direction. It was important to open up a period of discussion. We already had a first discussion on Monday, and it is equally important that we continue this discussion. Yet we will have to go a little further.

In a democracy, it is important to discuss, but it is also important to decide. When I say that it is important to decide, it seems to me that parliament must not only be consulted, but that it must also make decisions. Again, we do appreciate this first step this evening, but we will have to go a little further.

Government Orders

My area is national defence. I do not want to talk about it for too long, because I spent part of the afternoon looking at what could be put at our disposal by the Canadian army. Unfortunately, it is pretty limited.

I looked at all three forces: land, air and maritime. Next week, when the U.S. president will ask the Prime Minister what contribution he can make to a military response, I am afraid that the Prime Minister of Canada will not have much to offer.

I will touch briefly on the land forces. We know that the 3rd battalion of the Royal 22nd Regiment left this week to go to Bosnia to take over from another battalion from the Atlantic provinces.

There are problems, because it is not a big battalion. It has about 1,700 troops. When we only have 1,700 troops to cover a country like Bosnia, we cannot remove any of these troops, because they would not be able to do a good job.

So, we have very few army troops available, unless we decide to renege on some of our international commitments, or to withdraw our troops in Bosnia to send them elsewhere. This is another issue. And Bosnia is not the only place. We also have troops in the Golan Heights and others in Macedonia, where they are currently trying to restore peace and strengthen this ever fragile peace.

We must think about the impact of a sudden withdrawal of these troops if we were to send them to the Middle East together with American troops. This will be very difficult if not impossible.

I was a little reluctant this week to make a private members' statement, because I had trained with them in Valcartier. I was not sure if the government would send its troops overseas or try to keep them here to post them somewhere else.

I think Canadians were right to go overseas and to meet NATO's commitment to consolidate peace in that part of the world where peace is not fully restored and where troops are required to separate the belligerent sides.

There is another problem with the land forces. They are presently involved in some missions. Indeed, we are now left with the PPCLI, the Princess Patricia's Canadian Light Infantry, in the west. And I salute these people, because they went to my riding to help us during the ice storm; they gave us a great hand.

Consequently, there is only a portion of the army left in Canada. The other one, the RCR, is already coming back from Bosnia, and the 22e Régiment, which is the other portion from Quebec, is gone overseas to uphold NATO treaties.

We cannot tell people out of the blue "You are going to the Middle East". The people who went to Bosnia—I trained with them for a week—were trained for four or five months. Training in Valcartier was ideal for them. The climate and the environment are about the same as in Bosnia. So it was perfect for them.

However, sending troops to the Middle East is totally different. They should get some training. As far as the army is concerned, I see that it will be totally impossible to deploy troops and send them there.

Let us now look at the air forces. On that side, there are about 500 aircraft in Canada that will be allocated to 13 squadrons.

● (2145)

Some aircraft must be ruled out immediately. Some are made for patrol, search and rescue. We are referring among others to the Labradorers, the Griffons or the Sea Kings. It would never come to mind to send Sea Kings over there.

We hear the government say that the Sea Kings are great, but it must be said that for every hour in the air, a Sea King needs 30 hours of maintenance before it can be sent back on mission. It would be far from beneficial to send them over there.

I think that what the U.S. president is most interested in is the F-18s. There again, there is a problem: we have 122 of them, but only 80 are airworthy. Just imagine, the armed forces have reached the stage where they are using the term "cannibalize". The military will mothball some 40 F-18s, in order to remove some components from them and install them on others. There is a problem.

Moreover, these aircraft are old and should be upgraded. We have not reached that point. We have only a dozen of them that are able to carry laser-guided bombs, which is the new technology. So we have little to offer.

We have commitments to NORAD because in co-operation with our American friends, we are protecting all of North America. F-18s regularly take off from Bagotville or Cold Lake to patrol the Far North, often because of the intrusion of Russian planes. If we did away with our air fleet to send it out to the Middle East, we would leave America with very little protection, and we cannot do that. Our participation in the air is therefore very limited.

As far as the naval force is concerned, it is even worse. We cannot do much with our fleet. Not at all. The only thing that we could do would be to send a few destroyers to take care of reconnaissance patrols to try and control shipping in the Persian Gulf. That is just about all we can do.

There are also two replenishment tankers that we could send. However, if we did that, we would curtail our own fleet's work for coastal surveillance, because this is what they are used for. There is one in Halifax, on the Atlantic, and the other one is on the Pacific, based in Esquimalt. Our participation is therefore very restricted also, as far as the naval fleet is concerned.

President Bush might be a bit disappointed by the Canadian participation in future military action. But military retaliation is not the only solution. That is what everybody is saying. I think we must be very cautious, on this score.

I have just been listening to the president's speech, a few minutes ago. They tell me he has just finished. It was a pretty bellicose speech, probably in response to U.S. public opinion. In my opinion, if the Prime Minister feels he is a good friend of the U.S. president, he will need to speak frankly to him.

Government Orders

He needs to tell him “Listen now, I do not think that the law of retaliation, the law of an eye for an eye, a tooth for a tooth, can apply”. I said on Monday and I say again today: we cannot tell these regimes “5,000 civilians were killed in New York, so we are going to kill 5,000 of your civilians”. This would be playing exactly the same game as the people who attacked the World Trade Center and the Pentagon.

If the Prime Minister is the president's friend, he needs to tell him that his military retaliation must be very prudent. I think they are going to get into a far longer war. It is not a matter of a strike lasting two or three weeks, then it is all over and we go back home, as we did the other times. I have also said that this is a totally different war. The U.S. president needs to understand that a military response is important yes, but that it is not the only possibility.

Returning to the matter of democratic values, the Prime Minister must tell the president “I am interested in having a vote in the House”. In order to commit the Canadian army to joining with the U.S. army, if this is possible, a vote must be held in the House.

I also agree there must be an international tribunal, for the reasons that the Bloc Quebecois leader has already explained very well.

Let the Prime Minister travel to Washington next week, let him speak with his American friend, let him offer condolences from the people of Canada and Quebec, and let him tell the president “We are prepared to co-operate in many things, but unfortunately anything on the military side will be very limited”. I think he needs to be spoken to frankly in this way.

The government may be reaping what it has sown, in other words we now have few means of contributing to any participation with the U.S. army because of our budget cuts.

● (2150)

[*English*]

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Madam Chairman, tonight in the House we stand as all citizens of the globe who reacted in horror and revulsion to the events of September 11.

[*Translation*]

The folly of the attack against the U.S. government and the American people challenges our ability to understand. Our first thoughts go to the many innocent people who lost their lives. We address our most sincere condolences to all those who lost a loved one or were injured during these attacks.

[*English*]

As the Prime Minister said, this attack targeted the world. Forty countries, including Canada, died last Tuesday. As individuals, we feel the pain of being powerless to turn the clock back, helpless in the face of overwhelming tragedy.

Our ties to our American friends and neighbours reflect the many shared values which we hold dear: freedom, democracy, respect for life and for the rule of law, to name but a few. We share with them a common border and the world's most important trading relationship. We are inextricably linked to the United States and we will continue to demonstrate our solidarity with our neighbours.

Canada is a country that stands for tolerance and for freedom, but also for civilized discussion of differing points of view, for peoples of all lands and all beliefs have been welcomed to a country of unparalleled peace, liberty and prosperity. We are a nation of immigrants.

The shameless attack on innocent lives is the antithesis of what it means to be Canadian. These attacks remind all of us of the importance of the values for which our country stands and the need for all of us to work hard to protect our interests and project our values.

We are reminded that terrorism is an ever present threat to the tranquility of our lives and to peace and security everywhere, to the safety and security of men, women and children of all faiths, of all nationalities, of all regions. Victims of terrorist acts are innocent civilians.

● (2155)

[*Translation*]

Terrorism knows no international boundaries. Terrorists have no respect, either for the rule of law or for international standards; they do not believe in peaceful discussion and negotiation as tools for dispute settlement or attaining political goals.

[*English*]

If we are to overcome this tragedy, rebuild and regain our confidence, then we need to ensure that the global community works together. We need to ensure that the commitments that have been made by countries to act against terrorism are not just words but in fact are translated into action.

In various regional and multilateral forums, including the United Nations, the global community has agreed on important principles in the fight against terrorism, including the denial of support and sanctuary for terrorists, the establishment of an international legal network against terrorism through universal adherence to the international conventions against terrorism and international co-operation and co-ordination at the policy and at the practical level.

In this regard, Canada has been at the forefront of international action on terrorism. From strengthening these legal measures at our disposal at the UN to chairing the negotiations on the two most recent counterterrorism conventions, Canadian leadership and Canadian ideas are evident throughout the legal framework that has been developed internationally.

In addition to multilateral solutions to combat terrorism, we co-operate on a range of counterterrorism issues with other countries on a bilateral basis and, in particular, with the United States.

Since the 1998 joint declaration on counterterrorism, our two countries have built a level of co-operation that is unparalleled in the world, including on issues such as information exchange on threats, planning for the management of terrorist incidents affecting both countries and counterterrorism research and development.

[*Translation*]

Unfortunately, the tragedy of September 11 shows that even that is not enough. We must not allow terrorists to undermine the rights, values and principles we cherish.

*Government Orders**[English]*

Last week the North Atlantic Council of NATO issued a statement saying that if it is determined that this attack was dictated or directed from abroad, it shall be regarded as an armed attack against all member states of NATO. This would be the very first time in its 52 year history that the members of this defensive alliance have taken such a step. Canada will act in solidarity with our allies in response to this terrorist act.

As the Prime Minister said yesterday in the House, this is a struggle against terrorism. It is not a struggle against any community or faith. We are all Canadians. We are all taught tolerance. Every one of us condemns terrorism and every one of us is prepared to act on those values.

As we choose our responses, even while we grapple with grief, anger and emotions, we must never stoop to the level of the terrorists nor substantiate their hatreds by singling out Canadians simply for their religious or ethnic backgrounds.

When I, like many of us, read about Islamic centres burned or children and women insulted on the streets of Canada because of what they wear or who they are, I, like all of us, am deeply chagrined. However, I also felt very proud this week when I listened to the Prime Minister on Monday because he expressed exactly my sentiments when he said:

We...will not give in to the temptation in a rush to increase security to undermine the values that we cherish and which have made Canada a beacon of hope, freedom and tolerance in the world.

We will not be stampeded in the hope, vain and ultimately self-defeating, that we can make Canada a fortress against the world.

He went on to say that immigration, as I said earlier, is central to the Canadian experience and identity. We have welcomed people from all corners of the globe, all nationalities, all colours and all religions. This is who we are. Let there be no doubt: we will allow no one to force us to sacrifice our values or tradition under the pressure of urgent circumstances. We will continue to welcome people from the whole world. We will continue to offer refuge to the persecuted.

I think that those words were so well said on Monday that they bear saying again tonight.

[Translation]

Every one of us must reflect on what kind of world we want to live in, what kind of world we want for our children and our families. We must support our allies in this war against terrorism. We must support the efforts of the justice system, we must protect ourselves against acts of blind terror and, finally, we must not let ourselves get lured into the trap of hate and over-reaction.

We have all suffered one way or the other, and we must heal our wounds. We should focus on the memory of our neighbours who died and work toward ensuring that such a thing never happens again.

● (2200)

[English]

The rule of law and the right of people everywhere to live in peace without fear of violence must be preserved.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Madam Chair, I cannot help saying how profoundly disappointed I am in the performance of the government at this critical time. The government is behaving as if there is no crisis, no need for critical action, no urgency, and as if defending the status quo is the way to go. The drift goes on and the empty rhetoric goes on.

This is a rejection of the values held by Canadians and is an insult to our friends. Americans are increasingly tired of Canada not delivering. George Bush, speaking tonight to the American people, did not include Canada in his list of countries that are friends. This was not just an oversight. He was delivering a message.

On behalf of Canadians, and more specifically the people who live in my constituency of Vancouver Island North, I extend our deepest sympathies to our friends in the United States and families around the world who lost loved ones in the terrorist attack of September 11. We cannot pretend to know the depth of grief of those who lost loved ones but we can assure them of our thoughts and prayers.

Canadians and Americans have so much that unites us, including family ties, friendship, business ties and a long history of aiding and abetting each other in times of war.

I phoned my American brother. I call him that because he moved to the United States in the mid-1970s and now works and lives in St. Louis with his American wife and four American children. Despite the distance we remain close, as families do, and we are certainly not unique in having family in both countries.

My brother was watching the British parliament on television as it discussed the attack on America. He shared his concerns with me about the laxity of Canadian national security measures and how unsettling it is for his American friends and colleagues. Those friends and colleagues are intensely aware of who America's friends are and what they are saying. They have been especially impressed, once again, with the level of commitment expressed by Britain.

I have read a lot of 20th century military history. In our war against terrorism what we need is co-operation, solidarity, commitment and trust of the kind and nature demonstrated in the deep relations established between the administrations of Churchill and Roosevelt and their emissaries, that great Canadian William Stephenson, who worked with that great American, Bill Donovan, architect of the OSS, the forerunner of the CIA. It was World War II and the stakes were high.

The stakes are high now too.

I do believe that the government still does not get it. There is no room to excuse anything less than an all out commitment to stamp out terrorism and to create domestic security in Canada which meets our international responsibilities, not just for Canadians but for our friends and neighbours.

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Canada's unique relationship with the United States, geographically, demographically and in trade, gives us some special responsibilities. Earlier this week the Canadian Alliance asked the government to enact some straightforward measures: naming of all known international terrorist organizations operating in the country; a complete ban on fundraising activities in support of terrorism; immediate ratification of the International Convention for the Suppression of the Financing of Terrorism; the creation of specific crimes for engaging in terrorist training activities in Canada or inciting terrorists abroad; prompt extradition of foreign nationals charged with acts of terrorism; and detention and deportation to their country of origin of any people illegally in Canada or failed refugee claimants who have been linked to terrorist organizations.

• (2205)

One might wonder why many of these measures have not already been adopted. I certainly do wonder why and the official opposition has been asking. These measures should not even require much debate. They must be done and they must be done swiftly.

This is my measure of the government's resolve. Two days ago the government closed ranks to vote against implementing these measures. Strong, concerted, co-operative anti-terrorism measures are a responsibility and commitment that Canada must make and they must be unequivocal. This is what is expected of a friend and this is what will be required to win this war on terrorism. Anything less is aiding and abetting those who would undermine the very foundations of our free and democratic society. There is no other higher priority for parliament and the Government of Canada.

I want to tell the House what U.S. secretary of state Colin Powell said this week:

Some nations need to be more vigilant against terrorism at their borders if they want their relationship with the U.S. to remain the same. We're going to make it clear to them that this will be a standard against which they are measured with respect to their relationship with the United States.

The world has changed and the government should recognize that.

What we must do is take a step back, look at where we are headed on passage of people and goods between Canada and the U.S. and make essential changes. We know that NAFTA and the free trade agreement have been in effect for a decade and have had a positive influence on trade, wealth creation and jobs in Canada and the U.S. We have a huge just in time industry with connections across the border. With hourly inventory levels for automotive components and other industries, we can imagine how a problem at the border can affect business confidence in those kinds of industries.

Uncertainties will certainly negatively impact our ability to trade freely. The U.S. ambassador and Canadian industry are saying that a perimeter security strategy is essential to ensure continued cross-border co-operation. The U.S. has expressed continuing concerns about security risks emanating from the Canadian jurisdiction. Prior to last week's tragedy, Canada was taking at best a gradual or incremental approach to addressing these concerns.

September 11 has telescoped the timeframe. Rather than silence from the government we need a commitment to a perimeter security strategy which will ensure that it is as hard or harder for a terrorist to get into Canada as it is to go directly to the United States. Canadians want to see these actions. Americans want this action.

On top of commitments regarding our armed forces support and other measures, this is just one of the commitments the Prime Minister must make to President Bush on Monday. Nothing less is acceptable.

• (2210)

Mr. Brent St. Denis (Algoma—Manitoulin, Lib.): Mr. Chairman, it is with sadness but hope that I participate in this special debate this evening, as parliamentarians from all parties continue to express their sympathy, empathy and support for our friends and neighbours in the United States of America in the wake of the tragedy of September 11.

This debate is being undertaken to assist our Prime Minister as he prepares to meet U.S. President Bush next Monday and as the world readies its response to the terrible terrorist attack on thousands of innocent victims in New York City and Washington, D.C. I would point out that this debate is a result of the government implementing even better measures than past governments allowed for members of parliament from all parties, whatever level of the bench, to participate actively in assisting government to devise appropriate policies as we move forward.

I expressed shock for and support of the constituents of my riding of Algoma—Manitoulin who can hardly believe the events that have unfolded before our very eyes. We also pay tribute to the firemen, police and other rescue workers who have worked tirelessly to find those who may have survived these tragic events. We can hardly count the loss of family, friends and work mates. Shock waves will be felt for years to come.

I must admit to a great sense of pride, having seen the outpouring of pity and support for stranded travellers who landed at different airports in Canada, to those who have participated in the numerous memorials, particularly the wonderful and very spiritual ceremony on Parliament Hill last Friday, to those who have given blood or money.

I would like to point out that there was a very nice letter from a former CFL player, J.C. Watts, who is now a U.S. congressman. In his letter he thanked Canada for its support at this very difficult time. I recommend this letter to the editor in the September 17 issue of the *Globe and Mail*.

I also want to acknowledge the calls and e-mails from constituents who have expressed a variety of views but certainly a consistent view of support for our American friends and neighbours. I thank Susan Hare, Art Blackledge, Keith Hobach, Wayne Van Sickle, Larry Killins, Dean Anderson, Sandra Saxson, Robyn Kaufman and many others for taking the time to contact me and to help me and all of us come to the best solution at this difficult time.

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Our task tonight is to try to imagine the Prime Minister in his meeting next Monday with U.S. President Bush and his closest advisors. I am certain, after expressing again the empathy, sorrow and grief of Canadians, that he will want to get on to the very important business of what do we do next? I suspect he will consider very seriously ideas and comments such as follows.

First, that Canada as a full NATO partner, recognizes that an act against one of our partners is an act against ourselves. It is an act against all those who hold democracy and freedom among mankind's loftiest goals. The Prime Minister might consider and I am sure he will exhort President Bush to continue to take the necessary time to fully understand, as much as possible, the challenge ahead.

We all want to eradicate terrorism from the world. It has been with us a long time. The solutions will take a long time.

This is clearly not a traditional war with agreements, protocols and conventions. It is a war with no rules. It is a war with an unnamed and unknown, and where do we find such an enemy? As one U.S. official said "this is a marathon not a sprint".

The Prime Minister might also want to exhort President Bush to resist the temptation to see this war against terrorism as an act needing revenge. Nor should this war be seen as a battle between good and evil. Nor should this war be seen as a battle among religions.

• (2215)

We all know that the vast majority of Christians, Muslims, Jews, and those of all faiths, believe in reaching their higher goals through peaceful means. It is only the extremists, the few in all societies sadly, who wish to impose their self-centered, selfish and greedy views on others.

I see terrorists, like criminals everywhere or like biker gangs or drug lords, as those who profit from destabilizing society. I see them more like a disease. We must use measures that are unusual but effective, for in their attempts to diminish law and order, they increase their control in profit. Decent people everywhere loathe such behaviour, regardless of race, colour, creed and religion.

The Prime Minister will no doubt say that Canada is prepared to stand "shoulder to shoulder with our U.S. neighbours and friends". The free world must act decisively and firmly together to reduce or indeed eliminate the threat of terrorism everywhere, not just here at home.

In offering Canada's military strength, a military of which we are very proud, we recognize that the traditional big gun approach will not likely work. This is a time for precise, well-considered, multilateral action that is both firm, forceful and accurate.

I caution the unnecessary creation of martyrs among the terrorist leaders, which may not serve us well over the long term.

I would like to point out for my opposition friends, particularly the previous speaker, that Canada has taken much action already, action started long before the tragic events of last week, actions such as signing all 12 of the UN counter terrorism conventions and actions such as allocating \$1.5 billion in the year 2000 budget for the RCMP, CSIS and other departments related to public safety.

The government introduced Bill C-16 weeks ago, which deals with charitable organization registration and money being flowed to terrorist groups. This bill would put an end to it.

I could go on about other measures taken by the government.

I would like to come to the end of my remarks by asking whether, in offering Canada's full support to whatever extent all of NATO and our U.S. neighbours in particular require, we should also look at this as an opportunity that within this cloud there is a silver lining to find a degree of global co-operation and co-ordination, which we have never reached, and that, in taking a little extra time to get it right, this might lead to international co-operation on scourges beyond terrorism, scourges such as poverty, disease, pollution and others.

When all is said and done, I believe Canada needs to be there with its counter-intelligence, expertise, military resources, diplomatic resources, humanitarian resources and whatever we can offer, all the while remaining fully sovereign when it comes to making decisions that affect our security and our people. Canada has and will continue to be a beacon of light in the world, a beacon of peace but one prepared as a nation to act.

God bless the world.

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Chairman, it is with a profound sense of sadness and deep concern for the future that I rise to participate in the debate this evening having just listened with a sense of foreboding and almost of despair to the speech of the president of the United States to the American congress.

We are asked tonight what is our advice to the Prime Minister as he journeys to Washington next week to meet with the president of the United States. What message should he bring on behalf of the people of Canada to the president at this incredibly important time, not just for the United States and for Canada, but indeed for the world?

The first message of course must be a message of deep condolence for the families and loved ones of those who have lost their lives, and the death toll tragically mounts ever higher day by day; support for those who were injured; a tribute and thanks to those who, in the face of such tremendous odds, continue the desperate search for survivors; a tribute to the firefighters, the police officers, the rescue workers; and a tribute to the amazing people of New York who have suffered such a terrible wound.

We also owe it to our friends in the United States to speak the truth about the implications of the course upon which they are now embarking. I believe from the bottom of my heart that the United States is embarking upon a course which is profoundly dangerous, which will cause the loss of many more innocent lives and which will take this planet into territory that is dangerous and destructive.

They have rejected the path of multilateralism, of working in solidarity with other nations through the umbrella of the United Nations and in respect of international law. No one in the House believes anything other than we must do everything we possibly can to bring the perpetrators of these terrible crimes to justice, these crimes against humanity.

The global community must resolve to do whatever we can within the framework of international law to bring the perpetrators of these crimes to justice. Yes, these are crimes against humanity and they must be responded to as crimes within the framework of global law enforcement, not in the context of war and retaliation.

The compelling evidence that apparently exists linking bin Laden, al-Qaeda and others must be brought before an international tribunal. It is quite true that the international criminal court does not yet exist, but surely it is not beyond the powers of the global community to create a respected international tribunal to weigh that evidence with care, just as we have created tribunals in the case of other terrible crimes.

President Bush said tonight to the people of America and the people of the world “Either you are with us or you are with the terrorists.”

• (2220)

I say no to the president of the United States. We are not with him as he embarks upon this path of unilateral massive military assaults. We are certainly not with the terrorists. There is a third way which calls for respect for international law as we bring these perpetrators to justice.

President Bush went on to say that any nation which continues to harbour or support terrorism is a hostile regime. We all share the concern about those nations that harbour terrorists. The most recent state department list includes Cuba among the seven nations that the United States state department believes harbour terrorists.

What does this declaration by the president of the United States mean with respect to Cuba? What does it mean with respect to Iraq, another country on that list? How many more innocent lives will be taken? Half a million Iraqis including tens of thousands of innocent children have died as a direct result of the inhumane and genocidal sanctions on that country. Innocent civilians and the lives of Iraqi children are just as precious and as valuable as the lives of those office workers who perished in that terrible terrorist attack in New York.

The chair of the standing committee on foreign affairs is in the House tonight. I commend him for the comments that he made earlier this week during the course of this debate. I would appeal to the Prime Minister to heed his wisdom.

It is easy to strike out in retaliation. The United States has all the weapons it needs and these weapons are already on their way. However we must be very cautious that in doing so we are not creating more innocent victims. By what perverted logic can it be suggested that killing thousands of Afghans who are fleeing from the terror of the Taliban will save any lives anywhere else in the world? How can anyone argue that? How can anyone not recognize that we will create more martyrs and more people who are absolutely determined to avenge these deaths? That is a threat to all of us.

I say to the Prime Minister, on behalf of the people of Canada, please plead with the president of the United States not to take us down this destructive, disastrous course to war and the death of many innocent civilians. We can only begin to imagine the consequences domestically as well in terms of civil liberties and the most fundamental human rights. It was Benjamin Franklin, a

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great American, who said “Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety”.

The course upon which the president is embarking would not only strip away liberty but would exacerbate the contempt for multi-lateralism in international law that we have already seen too much of from our neighbour. We cannot allow this to happen. I hope the Prime Minister will be listened to if he takes that message.

The president did not even mention Canada tonight. He mentioned many other countries but he was silent on Canada. It was quite shocking. We were a country that poured out our hearts, opened our homes and provided many rescuers.

• (2225)

I appeal to the Prime Minister to make it clear to the president of the United States that the solution he is now urging on the world is one that is doomed to kill many innocent people and it would take us on a path toward grave destruction and further away from peace. The choice is not the United States or terrorism. The choice is peace and respect for international law.

• (2230)

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Chairman, I am grateful for what I thought was going to be a non-partisan opportunity to reflect on the very tragic events that occurred in the United States, the act of terrorism that not only affected the citizens of the United States but citizens from Canada and all over the world.

We should remember that the attack on the symbol of the United States, its strength and its free society, could have been an attack on Canada or on any other place in the free world. It could have also been an attack on the United Nations. As has been pointed out time and again, the act of terrorism was not a religious act, it was an act of violence against humanity.

We reflect this evening, in a non-partisan way, on what we can tell the Prime Minister to pass along to President Bush.

I understand concerns have been raised by those who are deeply concerned about terrorism about the position the Canadian government has taken. I am not able to give a chapter and verse defence of what we are or are not doing. The role of the opposition, quite frankly and quite appropriately, has been very well articulated, it is to ask those questions. Over the next number of weeks, if not months and years, those questions will be raised for the benefit of our citizens, and the government should attempt to answer them.

I must say that if the defence system against terrorism were the most up to date, with the most costly intelligence and surveillance equipment available and the most vigilant arms service capable of matching and reacting, the United States would not have been affected by this act of terrorism any more than the British are affected by the violence reaped upon it by the IRA or Israel being attacked in a terrorist fashion. The fact is, from what I understand and from what people in my constituency have been telling me, acts of terrorism are often not related at all to those provisions of capacity and how much we spend. They are related to how vigilant, how resolute and how committed we are to the values that we wish to protect.

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There is absolutely no doubt in my mind that over the next few months, with the kind of vigilant questioning that is being brought to the floor and the follow up that will come from the government, we will be resolute and focused and we will take those actions that will convince our communities that we not only know the mechanisms that will protect us but also the values.

As I said this afternoon in an S. O. 31, Graham Green wrote something about the door of terrorism opening. He said that one of the most profound things that happens when the genie of terrorism opens the door is the terror and fear that we feel, that in the name of civilized society that we are incapable of acting or responding.

● (2235)

That is not the message we should send to the Prime Minister or the Prime Minister should take on behalf of Canadians to the president. We are capable of responding. The United States has been the bastion of freedom and the American way in which we in fact believe. Those values have been the greatest experienced in modern times. We will reaffirm that we are capable of responding. That is the first thing we should tell the president.

The second is how we respond. There are those who believe that the strategic response should be around the perimeter of North America or in fact the perimeter of Canada and the perimeter of the United States.

In this era of globalization, which is the prevailing trend, we are talking about breaking down boundaries. Europe is moving toward a common monetary system. We are attempting to allow capital to flow and to do things in a positive way so that capital and investment can start to eradicate poverty and start not only to export the values we believe in but in a real fashion create multilateral institutions that will not only serve the world well but will serve us well.

The third message we should give the president is that where the United States has been withdrawing from multilateral action the times beg for it because we cannot go backward. We must go forward.

We must reaffirm our faith in each other through multilateral entities. We must firm up the World Bank and the Organization for Economic and Co-operative Development, the OECD. We must work through the IMF, the American banking system and the Latin American banking system. We must develop mechanisms which make people start to understand, not in global terms that the WTO cannot work, is the enemy and we need acts of terrorism, not that dialogue and true grappling with the forces of poverty and extremism cannot be dealt with in the summit of the Americas, that we can work together to make multilateral institutions in keeping with globalization effective for the world. That is the message we have to give to the president.

To do that it seems to me there is some American experience. I refer to Franklin Delano Roosevelt who in his day had to respond to the situation. He described the epidemic of world lawlessness by saying that if it were a physical disease it would have to be quarantined and that those who did not support the quarantine would have to be brought into international accountability. He also said under different circumstances that America should walk softly but carry a big stick, and it was right then.

President John Kennedy said that in a thousand years when the history of civilized society was written we would not and should not be remembered for the political battles we won or lost but for the manner in which we contributed to human dignity and the freeing of the human spirit.

That is the litmus test against which we will be effective in combating terrorism by bringing everyone together and recognizing the total historical context within which we must operate. That historical context demands, indeed it cries out in this global community when so much can be lost so quickly, that we work together.

Those are the messages that my community and I are asking our Prime Minister to carry to President Bush.

Ms. Val Meredith (South Surrey—White Rock—Langley, PC/DR): Mr. Chairman, I appreciate the opportunity to make a few remarks this evening.

I want to start by saying that I hope it is not too late for the Prime Minister to change the message that he has probably already decided that he will take to President Bush because, quite frankly, I feel that we are and have let down our greatest friends.

Somebody mentioned earlier this evening that in the president's address he did not even mention Canada as one of the countries that he considers to be a friend that stands up beside him. He used Great Britain on the other side of the Atlantic Ocean as his example of a great friend standing beside the United States. Quite frankly, I am embarrassed that has come to pass.

The message the Prime Minister must take to President Bush when he visits is that we are as committed to eradicating terrorism as is the United States of America. If people in the House honestly think that terrorism will disappear without a strong commitment, a strong, forceful action and the resolve to follow it through, they are daydreaming.

Terrorism has been with us for many years. It has gotten worse, not better, through negotiations and peaceful dialogue. Unless it is attacked with some force and some commitment it will continue to grow and permeate our society. The Prime Minister has to take to President Bush the strong commitment to go along the road to eradicate terrorism.

We have heard this weak resolve for perimeter security provisions, this weak resolve from the government to make any kind of commitment to work with the United States of America to protect the North American continent. This weak resolve, this lack of commitment will cost Canadians down the road because the Americans will shut us out. They will build a stronger and taller wall on the 49th parallel and Canada will be on the other side. Why? Because we have a government that thinks it can sit on the fence. We have a government that thinks it can play both sides against the middle. It cannot.

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Canada has to decide whether to be in the game or to be left out of the game. It will be a decision that will impact upon the generations to come in our country. If the Americans cannot count on their neighbours to the north to be there every step of the way alongside them instead of trailing along behind, then they will move ahead without us.

I want to describe to the House my constituency. It lies on the 49th parallel. There is a big, wide arch that straddles the border. Canadians and Americans meet there several times a year. We meet January 1 to toast the new year. We meet on either July 1 or July 4 to remember the days when our countries came into being and to share the experience of free societies, of democratic countries. We share in that. On one side of the arch it says "Children of a common mother", and on the other side it says "Brethren dwelling together in unity". What that symbolizes is that we are more than neighbours and more than friends. We are a family, and it is time we started acting like a member of that family.

Being part of a family is unconditional. It is being there supporting the family when the times are good and when the times are bad. When family runs into trouble, we do not turn and walk in the other direction. We do not say that we are going out to the backyard for a smoke to decide which way we will support our family. That is the feeling I get from our government in the debate that we are having tonight, which is not even a debate.

• (2240)

I am insulted, quite frankly, that the executive branch of our government has not shown enough concern and taken more serious the event that happened in the United States, the effect it has had worldwide and the effect it has had on our country, that parliament would be excluded and we would have a committee of the whole to debate the issue in the wee hours of the night.

I find it insulting that we were not faced with a strong, open debate immediately following the event instead of almost a week later. I am horrified that Canada is showing such weak resolve in supporting our family south of the border.

The message I would like the Prime Minister to take is that Canada is family and that Canada will be there supporting the United States in every move it makes. I even think an apology is in order for the fact that we have allowed our defence and our national security organizations to be in such disorder and disarray that they do not have the ability to help out in any meaningful way.

We should just be grateful that this event did not happen on Canadian soil. Where would we be going for support if it had happened here in Canada? We can only hope that they would have been a little more gracious in coming alongside and supporting us immediately instead of wavering and taking their time in trying to decide in what manner they were going to help and to what degree.

I would like the Prime Minister to go to Washington, to President Bush and give him our wholehearted commitment without any conditions.

• (2245)

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Chairman, I appreciate that at this late hour members have come together because of the concern over the meeting on Monday

between President Bush and the Prime Minister, the importance of the meeting following on the tragedy of September 11 and the importance of it in terms of Canada-U.S. relations. Certainly the stakes are very high in terms of those relations in the future.

When I came into the House a few moments ago I heard the remarks by the member for South Surrey—White Rock—Langley and previous to that the member for Burnaby—Douglas who spoke on behalf of the NDP. They went in two different directions altogether. One said that we were not doing enough to support the United States at this time and the other said that we were going too far down the road leading to war.

The government takes a balanced approach to all this. The Prime Minister has made it abundantly clear that we stand shoulder to shoulder with our friend and ally, the United States, and in NATO and other parts of the world that join with us in the campaign against terrorism.

We will be a part of that campaign and we will play a meaningful and significant role in it. We do it for a number of reasons. We do it first and foremost because it relates directly to the safety and security of Canadians, and really there is nothing more important than the safety and security of Canadians in all this.

Terrorism has taken on the ugliest form than we have ever seen. It exists in many different parts of the world. There are thousands of adherents of bin Laden and other terrorist organizations that are prepared to do the kinds of things that we saw in New York and Washington on September 11. We cannot allow that to continue. That becomes a threat not only to people in the United States but people in Canada and in other countries of the world. We cannot allow ourselves to be held hostage by people who would carry on these evil acts. We must take action and we must take action together to protect our own interests, safety and security.

There is no imminent threat to Canadians. We do have a counterterrorism plan but we do need to look at it again and look at various aspects of security in light of what happened on September 11 to ensure that we continue to protect the safety and security of all Canadians. We need to work with the United States and with our allies because this is an international problem. We need to be in concert together, standing shoulder to shoulder as the Prime Minister has said on more than one occasion.

I have said on numerous occasions that this will not be a conventional war. I think the president of the United States said words to that effect this evening. It will not be like World War II or Kosovo or the gulf war. This will be dealing with an enemy who is illusive, who operates in the shadows and who operates in many different countries of the world.

We need to build a coalition of countries that recognize the need to suppress terrorism. We need to convince those countries that harbour terrorists that they need to stop that kind of support, even if it is passive support. In a number of countries, even countries that we would not have expected to indicate their concern about this, have indicated a concern because they understand the threats to them. They understand just how hideous and evil the dimension of these operations have become.

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This kind of conflict will not be a traditional war. Hopefully it will minimize the kind of military action that will be required. We need to look at all the different tools that we have at our disposal, everything from diplomatic to economic, to try to bring an end to this kind of terrorism.

● (2250)

Yes, there will be some military action. Some of it may even be of a conventional war nature. I hope not but it is possible that it may be. However it will take a long period of time and a concerted action by many countries in many different ways.

The United States has already pre-positioned some of its military forces into the Middle East area where many of the terrorist organizations exist, near Afghanistan, near the operation that is the headquarters of bin Laden. It is normal in times of crisis for military forces to move in such a fashion and pre-position. No decision has been made by the United States as to how this campaign will be carried out and whether these forces will be used in the numbers that it is massing. This is a pre-positioning. It is also quite obviously a tool to put pressure on the Taliban, to put pressure on Afghanistan to give up bin Laden. These methods and many other methods will be used in future.

The United States, as the leader of this endeavour, is still in a planning stage. The Americans have not asked anything specific of us with respect to this campaign on terrorism. They have asked some things of us in the stage between September 11 and now which we have delivered on. They asked us to put more of our jet fighter aircraft at the disposal of the NORAD system. That has been done. They have asked us to assist them in intelligence analysis and that has been done. They were grateful that when those incidents occurred on September 11 we were able to take a number of aircraft into our airspace and airports; over 200 aircraft and some 33,000 people. I must commend Canadians who showed great hospitality and understanding of the situation and reached out to the people who were part of those special landings that occurred in our country, particularly in the eastern part of Canada.

The things the United States has asked us to do we have delivered on. We have been there with the Americans and they have thanked us for what we have done. We have indicated to them, as the Prime Minister said, that we will be there, shoulder to shoulder. We will be there. They are our friends, our allies. They are family and we will be with them.

We do have a number of capabilities. We have capabilities in the Canadian forces that can be made available. They know what we have. They know what our assets are. They know what our personnel is. They know, in spite of the Alliance members who run down the Canadian forces, that we have people who are dedicated and professional and have served well in Kosovo. They were a major part of the operations in Kosovo. Two weeks ago we took our high tech, state of the art Coyote reconnaissance vehicles and their crews into Macedonia. We have a number of niche areas of capability.

As the United States comes through the planning stage it will then consult with Canada and our other allies to determine how we can work together, how we can provide our capabilities in a complementary way which can then be brought together in this campaign against terrorism.

However it should not be just a military campaign. In fact I hope that the military aspect of it, if it exists at all, will be a minor part of it. I hope that will be the case. We have to be prepared. We have to make our assets available. We are making our assets available. We are not saying they cannot have this or they cannot have that. They know what we are capable of doing. We certainly want to be with them and play a role, a front rank role in terms of assisting in this regard because it is in our own interests.

It is in our interests to ensure the safety and security of Canadians as well as freedom loving people in all parts of the world.

● (2255)

We will be there. We are fully committed. We have to be fully committed. This is an important campaign against terrorism. Canada will stand with the United States and its allies. Most important, we will do it for our own people to ensure their safety and security for now and in future.

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Chairman, God help us if such a terrorist act befalls Canada's civilian population. I know who would be there to help. The United States would be the first, and there would be no questions asked.

I would like to address one thing since this is the first opportunity that I have actually had to speak on this subject. I, along with my family and so many others in the community and across the country, have looked at that horrible event time and time again on television. I was not there to witness it firsthand but it has left an impact and impression on the lives of so many people. It has even changed the whole makeup of this parliament. Just seeing the events unfold on the soil of our American neighbours has driven issues we thought were important literally into insignificant bickering.

My thoughts have been with them and their families and so have my prayers. In our church we prayed for the families and the grief and the agony those people are suffering. We watched America pull together too. Their Congress came together in a unified fashion knowing that the battle was not just theirs. How many times have they admitted it was not just their battle but that they would fight this battle for everyone else?

I pay tribute to them, their Congress, their firefighters and their police officers and all of the emergency response teams they sent from all over the country to help, and their population for responding with such compassion. That is what I see in America. That is what I see this event doing down there.

It has also affected the lives of Canadians no differently than it has affected them. We have a shared community with the Americans, not just giving them lip service but a lot more than just being a neighbour to them over the border. We share a lot more than that.

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I would not want to be in the Prime Minister's shoes on Monday. They are not going to play around with words, but what words could the Prime Minister actually bring? He is looking for advice. That meeting is going to define Canada's role in the war against terrorism. I pray that the Prime Minister will come to realize this country's need too, not just our neighbour's but this country's need, because if we cannot look after our own needs, we cannot look after the needs of our neighbour. He should address the issues of national security not only with words but place national security as this country's single highest priority and then go and take some action. He can still do it before he goes down there. Our allies expect it. So do the citizens of this country. They demand it.

I, along with most members in the House, seek a commitment from the Prime Minister today to advise our friends and allies that we will not just stand by waving the flag. How many times have we gone into situations where all we did was just wave the flag? This time more is being asked than to just wave the flag: to commit to sending our troops, to commit in bringing our intelligence community together in full force and our enforcement capabilities as well. That is short term and it would only be the beginning.

• (2300)

Our Prime Minister has a moral obligation to bring something else to the American table, to lead, to pre-empt any demand made of Canada by the president of the United States. In other words we would be there ready to help without even waiting to hear what the President had to say. This is what we have to offer and we will do everything in our power to do it.

Before leaving this country the Prime Minister of Canada should announce to the public, parliament and to our American friends that we will finance, equip, and recruit personnel to build up our armed forces, the RCMP, CSIS and enforcement agencies such as immigration and customs. We will do that. We will commit it.

I have to say I am ashamed when I think of the neglect every enforcement agency and our military have suffered over the past 10 years. It has been due to a lack of commitment, of underfunding, of politically correct policies. We can go down the list all the way to eliminating our spy agencies that existed after the second world war with no thought of ever reinvigorating or re-establishing such agencies.

Let us look at the more recent disbandment of immigration tracker units that used to hunt down fugitives like this. That was in 1994. In 1995 there was the disbandment of the Airborne, a specialized unit known throughout the world that would take care of this kind of event. They would track down behind enemy lines culprits who would pull these kinds of stunts. The Airborne were well known throughout the world for their efficiency and their ability. That is Canada and it is gone just like that, in a breath. There was elimination of the ports police, a dedicated police force looking after our shores and ports, ferreting out contraband.

The most recent was the neglect to arm our military. We have no specialized ordnance attached to our planes. We shot it all off in Kosovo and we dropped all the iron bombs that we had, so we have nothing. It has never been replenished. Can we call that preparation?

It is shameful. The Prime Minister can take something of substance to the president of the U.S.A., but will he? He can offer certain assurances now that we are committed to beefing up our forces, but will he? The Prime Minister could advise President Bush and our allies that yes, we are serious about police and border security and while we are strengthening our enforcement levels, we invite the U.S. special agents to liaise directly with our intelligence community and our police, but will he?

That is the message the Prime Minister has to deliver for the short term, but will he? Now the Prime Minister must acknowledge a serious shortfall in our legislation and our policies, shortcomings which leave our country vulnerable and also compromise the security of our neighbours. This is what we need in our country: anti-terrorism legislation; immigration screening; effective extradition laws; refugee determination and deportation; and a unified security policy with the United States.

There is much the Prime Minister can do. If he takes any advice from this side of the House, he will be able to offer something more. A colleague earlier tonight stated, God bless America and God bless Canada. My prayer in addition to that of my colleague is yes, God bless America and yes, God bless Canada, but God forgive us as Canadians for not living up to our part of the bargain.

• (2305)

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Chairman, it is with a profound sense of sadness and pain that I rise to express my condolences to the American government and the American people, particularly to the families of the victims and their loved ones.

Words may ease the pain but they also dwarf the tragedy. As one who is a graduate of an American law school, who has taught and lived in the United States, who has family in the United States, and for whom many of my closest friends are Americans, this unspeakable tragedy was and is profoundly personal and familial, as it was profoundly human and neighbourly in a North American continental sense. In a word, we are all reminded that we are one human family and that this was an attack on that human family.

On the eve of the new millennium, various pundits and policy wonks at the time warned against millenarian cults that might use the fin de siècle for the commission of what they called apocalyptic acts of terrorism, but it took the transformative terrorist attacks on the United States of September 11, not those of the millenarian cults but of the transnational super-terrorists to bring us *Apocalypse Now*, and to bring us *Apocalypse Now* not as film but as unprecedented horror in prime time, and with the tragic loss of life and innocence not so much a case of life, or more specifically mass murder, imitating art but in fact mocking it.

Any counterterrorism law and policy, therefore, be it that of any prospective anti-terrorist coalition or that of member states of the international community like Canada and the United States, will have to factor into their response the following constituent features or faces of this transnational apocalyptic terrorism, most of which found expression in this macabre terrorist assault, including the increasing lethal face of terrorism.

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In the last few years we have seen a lessening incidence of acts of terrorism but we have seen: an increasing lethality in the nature of terrorism, most dramatically expressed in this macabre act of September 11; the increasing targeting of civilians in public places; and the increasing incidence of suicide bomber terrorism, associated with or underpinned by religious fanaticism.

This was not the terrorist hijacking of planes for political ends, as bad as that would be. It was a terrorist hijacking of planes for the sheer purpose of mass murder, driven by a mass hatred.

There is more: the sophistication of transnational communication, transportation and financial networks; the potential use of weapons of mass destruction; the teaching of contempt and demonizing of the other as a kind of standing incitement to terrorism against the demonized target; the vulnerability of open and technologically sophisticated societies like the United States and Canada; the explosion of internal ethnic and religious wars abroad and their attending acts of terrorism which may implode elsewhere and at home; and the continuing presence of state sponsored terrorism. In a word, the profile of this new existential threat may be, as the U.S. state department report on global patterns of terrorism put it:

—the transnational super-terrorist who benefits from modern communication and transportation, has global sources of funding, is trained and anchored in transnational networks, enjoys base and sanctuary in rogue or pariah states, is knowledgeable about modern explosives and is more difficult to track down and apprehend than members of old established groups or those sponsored by state terrorism.

As Ward Elcock, the director of CSIS, put it in his submission to the special committee of the Senate on security and intelligence on June 24, 1998, “The global terrorist threat today compared to 10 years ago is more complex, more extreme, more sophisticated, more diffuse, and more transnational. If the world is now a global village, the threat exists in every neighborhood”.

• (2310)

What is perhaps the most important and oft ignored dynamic in the development of a counterterrorism law and policy such as that we would recommend is combating the increasing blurring of the moral and juridical divides that have often blunted or blurred any effective anti-terrorism law and policy in these past years. I am referring to the repetition of the moral and legal shibboleth that one person's terrorist is another person's freedom fighter, a moral relativism or false moral equivalence that effectively blurred the distinctions between legitimacy and illegitimacy or, more profoundly, the distinctions between good and evil.

Accordingly, the underlying basis for any counterterrorism law and policy is that this apocalyptic terrorism must be seen for what it is: not only the ultimate existential assault on human rights and human dignity in its slaughter of the innocents, but as an assault on democracies themselves and on the peace and security of humankind. The struggle against terrorism, therefore, must be seen as part of the larger struggle for the protection of democracy, for the protection of human rights and human dignity, for the protection of the human family.

The principles, then, that must guide us are: that one democracy's terrorist is another democracy's terrorist; that if terrorism is a global phenomenon, it requires a global response, as no country can fight terrorism alone nor should it be required to do so; and that if

terrorism is indeed a war on democracies, then democracies must use all the democratic, diplomatic, juridical, financial and institutional means at their disposal in taking the war to the terrorists themselves, organized around a series of specific global and domestic initiatives as follows and which I would modestly recommend for consideration by the Prime Minister, if not that of the anti-terrorist coalition.

The initiatives are as follows. The first initiative, one that arises from the blurring of the moral and legal divides, as I indicated, is the need to build an international understanding of and support for a counterterrorism law and policy that is a priority on the larger human rights and democratic agenda, not just on the national security agenda. That must include not only the mobilizing of governments but the mobilizing also of parliaments as representatives of the public will. It would also include the mobilizing of civil society, which can give expression and advocacy to that public will.

Second, the legal arsenal to fight terrorism must be internationalized and institutionalized. For example, many countries have still not ratified the 13 issue specific international conventions to combat terrorism. Ratification has not only juridical importance in terms of countries implementing these international treaties as part of their domestic counterterrorism law and policy, but ratification sends an important psychological as well as juridical message that these countries have put themselves on the side of the democratic war against terrorism.

We can identify those that put themselves on the side of that war by whether they are in fact ratifying these international conventions against terrorism and implementing domestic legislation alongside them. That is a verifiable test of a counterterrorism law and policy that is juridical and prospectively effective.

Third, the international juridical initiatives for implementing and enforcing a counterterrorism law and policy need to be expanded and refined, particularly as acts of terrorism tend to involve more than one state. This includes not only the principle of extradite or prosecute as a corollary to the national and international commitment to deny base and sanctuary to terrorism and terrorists anywhere, but it also includes, for example, arrangements for mutual legal assistance treaties, MLATs as they are called, or the use of encryption, a process that allows where necessary lawful government access to data and communications in order to prevent or investigate acts of terrorism while at the same time protecting the privacy of legitimate communications.

Fourth, it is crucial that intelligence gathering be refined and that information on terrorism and terrorists be shared so that one may not only build the evidentiary links which both law enforcement and courts require, which information, I regret to say, is still not even shared among allies and fellow democracies themselves, but which shared information is not only important in an evidentiary sense, it can pre-empt and prevent the terrorist acts to begin with.

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• (2315)

Fifth, states must take seriously the characterization of terrorist fundraising, as the 1996 Paris ministerial conference on anti-terrorist fundraising put it, as “the soft neuralgic point of democracies”, and therefore states must take the necessary steps to counteract through appropriate domestic and international means the financing of terrorists and terrorist organizations, the whole in implementation of the International Convention for the Suppression of the Financing of Terrorism.

Sixth, there is a need for democracies to adhere to, invoke and apply those foundational principles of international law as basis and justification for any counterterrorism law and policy. This includes, for example, the characterization of terrorism as a Nuremberg crime, not only as a violent act but as an international atrocity of the first order, akin to a crime against humanity.

It includes the characterization of terrorists as *hostis humanis generis*, the enemies of humankind, thereby underpinning what should be for all of us a zero tolerance policy respecting the combating of terrorism from whatever quarter and for whatever purpose.

Any military action must equally be anchored in foundational international humanitarian law principles respecting the use of force in armed conflict, the protection of civilians and the doctrines of necessity and proportionality in any responsive military action. Any domestic law and policy must ensure that the rule of law is not in the interests of a counterterrorism law and policy just as an effective counterterrorism law and policy is not blunted by its over-attention to technical detail.

Finally, every state must review its domestic legal regime with a view to filling in the domestic gaps in law and policy. For example, does the domestic legal regime here in Canada properly address the evolving and dynamic nature of this terrorist existential threat as I described above? Do we need special domestic laws or perhaps a countrywide counterterrorism law such as exists in the U.S. and U.K. but improved upon? Would such special laws possibly—

The Chairman: I regret that I have to interrupt the hon. member, but I have tried to exercise some generosity and I also know that a number of members are waiting and 12 o'clock is fast approaching. The Chair will not be able to entertain any motions to extend the sitting. I must ask for the speaker's co-operation.

• (2320)

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Chairman, we all agree that the horrendous events of September 11 represent a sad and shocking wake up call to a reality we should have been better prepared for. It was a reality and a threat that has been there for many years in warnings we received and events that we have seen in other parts of the world, events that we have now seen within our own borders.

The first message that our Prime Minister should deliver is our shared grief and condolences to the people who have lost a loved one: a sister, a brother, a mother, a father, a son, a daughter, a neighbour or a colleague. Indeed I spoke to someone tonight who knows of at least seven co-workers who died and five more who are unaccounted for at the World Trade Center.

President Bush's remarks have been referred to tonight. I will make reference to something that the president said in his remarks about the response of the American people to the tragedy. He said that they have seen the state of the union and the endurance of rescuers working past exhaustion. They have seen the unfurling of flags, the lighting of candles, the giving of blood, and the saying of prayers in English, Hebrew and Arabic. They have seen the decency of a loving and giving people who have made the grief of strangers their own, and perhaps that refers to us. As we know, many Canadians have grieved.

We have seen the demonstrations where thousands of Canadians have gathered. Over one hundred thousand gathered on the lawns of our parliament. We even had a service today, as members of parliament gathered to mourn the loss of our close neighbours in the United States.

As we discuss how the Prime Minister should respond, I must reiterate that the Canadian Alliance has been calling upon the government to address issues of border security, the integrity of our immigration and refugee systems and the need for more resources for our military. We have been calling on the government to bring in a strong and stringent response: terrorism legislation modelled after the British terrorism act.

For example, if Canada needs an order to deal with this event, we need to take it seriously. We must adopt similar legislation, legislation that will name and ban terrorist organizations, that will prohibit fundraising for these groups wherever they are, on Canadian soil or overseas. We need legislation similar to the U.S. anti-terrorism legislation, an effective death penalty act, of 1996. We need legislation that will identify and ban terrorist organizations and all of their fundraising and support activities on Canadian soil, not a mere taking away of their tax exempt status. Heaven help us if this is considered a significant response to the threat.

Legislation is needed to change our laws regarding the detention and deportation of suspected terrorists. Terrorism knows no borders. We cannot allow Canada to become a safe haven for those who would rely on the humanitarian compassion of Canadian laws to avoid justice in their own countries or in countries where they commit their crimes.

This week NATO invoked article 5 of the charter and Canada joined with our allies in declaring that this attack on the United States was also an attack on us, the first such declaration in the 50 year history of NATO. It is not just an American struggle; it is a struggle of all free nations of the world. It means that Canada must mobilize with reasonable and augmented resources.

The Prime Minister's message should be that Canada will commit to: toughening up our borders; scrutinizing our immigration policies and procedures; weeding out bogus refugee claims; prosecuting persons who commit crimes while their refugee or immigration status is pending; and extraditing those with proven terrorist links and those who commit crimes in other jurisdictions and then seek refuge within our borders.

We need to commit to tightening up the North American perimeter by improving our entry and exit security. Our walls must be reinforced.

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● (2325)

If we do not take measures to increase our security, I fear what will happen to our borders. The U.S. is certainly going to be scrutinizing it closer. I fear for what will happen to our own citizens trying to cross the border and for international trade that we depend on so much.

Canada achieved a level and a standard of living that until recently has been second to none. Our reputation as the most fortunate people on earth has been an attraction for terrorists and others who want to take advantage of our liberty. However, our standard of living, our economy and the secure and peaceful society that we have become accustomed to has sadly been eroded.

We have an obligation to protect our heritage. We sing "O Canada, we stand on guard for thee" as we did today at the memorial service. It is time that the government and members of parliament on all sides take this responsibility more seriously.

The Prime Minister needs to demonstrate, and we as parties need to unite and agree, that we will do what it takes to secure our borders and protect our citizens. The Prime Minister's message to the president should say that he has a mandate from all members to increase defence spending, as well as RCMP and CSIS funding, so that these organizations can fulfill the role that they are required to do on our behalf.

We need to acknowledge that we have taken our security for granted and have relied too much on the vigilance of our neighbour to protect our interests. Our failure to do due vigilance has also exposed our neighbour to hostile forces that have abused our generosity. Our message needs to be that we will commit to renewed vigour and vigilance.

Canada has played a role both in the development of the convention on safety of the United Nations and associated personnel and the international convention for the suppression of terrorist bombings. We need to follow through on our commitments.

Canada needs to say that we will take our international obligations seriously as well as our obligation to protect the security of our citizens, to our neighbours and to our role of standing with our allies against international terrorism wherever it is found.

Finally, I believe it is unfortunate that the hour is late and some of our colleagues may not get a chance to speak tonight. It is unfortunate that colleagues who have waited a long time to speak will unfortunately be denied that because there is no opportunity to extend the debate tonight.

Hon. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Chairman, I had not intended to speak tonight as I spoke on Monday night. However, after sitting in and listening to the debate, this is an opportunity for us to gather as a family in the House to hear one another's reflections on this very important matter. However, I thought this debate was to be about what message we would like the Prime Minister to carry on behalf of the people of Canada to the president of the United States.

I had the opportunity of hearing the president speak this evening, like many members of the House. I was impressed by his words and by the extraordinary enthusiasm expressed by our colleagues, the

members of congress, senators and congressmen. Many are personally known by the members of this House. We have worked with them, and respect them. We have looked to them for their wisdom to help resolve what is an extraordinary, complicated and difficult issue for us all to deal with.

I did not think that the debate tonight would be as partisan as it has been. I am disappointed by some of the remarks from my colleagues across the floor who have chosen to speak about the inadequacies of the policies of the government rather than what message the Prime Minister should be taking to the president of the United States.

I agree with my colleagues across the floor, particularly my colleague who spoke so eloquently about her riding, which is linked to that of the United States. This may be of some amusement to members of the House, but in some respects my riding of Toronto Centre—Rosedale is also a border riding. It is on Lake Ontario and across the lake is Rochester. I have as much a border riding as many others.

I agree with all members of the House that the first message that we want the Prime Minister to take to the president of the United States is that we are a North American family. First and foremost that is what we are.

My mother was American and my father Canadian. If things had been different, I would have been on the other side of the border. I might have been in that other house, if I had been lucky enough to be elected by my citizens to represent them, as I consider it the greatest privilege of my life to represent the citizens of my riding in this House.

We are a family. As members of a family, we have a right to speak frankly to the other members of the family and tell them what we believe and how we want them to behave.

I listened to the president of the United States tonight and I was impressed by his sincerity and determination to deal with the immediate causes of terrorism. I am impressed by the statements of determination expressed by my colleagues from the other side to ensure that our society will be protected by strengthening our systems of defence, our police forces and our immigration policies.

I call upon all members to be loyal and to stand shoulder to shoulder and support the United States at this time. If we do not support the United States, we are not supporting ourselves because we are all under attack. As the president stated tonight in his speech before congress, some 60 nations of peoples were represented in that building that was attacked. As stated by my colleague from Mount Royal, all humanity was attacked in those buildings.

● (2330)

What are we as members of the House trying to come to grips with? How do we extend beyond the immediacy of the message that we must deal with this and talk to what is the only superpower in the world, the greatest power on the face of the planet? The United States clearly has the military power to annihilate any enemy of any kind. There is no question about that.

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I listened to an American admiral on television this morning. He was a very wise man who said there was no military response to the issue. He said there is only a limited military capability to deal with terrorism because terrorists disappear into the night.

This is a personal reflection, but I read with interest an article my son wrote on the front page of this morning's *National Post* about consultations he had with Mr. bin Laden's people in Pakistan.

My son happens to be in Pakistan. I am concerned about him. Anybody would be whose own flesh and blood was on the frontline in these circumstances. He is there because he believes that in a free and democratic society he has a duty to write about the complexities of the issues and allow our citizens to understand what they are about.

They are not just about immediate strikes because, as we read in his article, Mr. bin Laden, the rebels, the terrorists and the people of Afghanistan have many caves they can go into.

As the admiral said on television this morning, we do not have the immediate technical information or intelligence to know exactly where to strike. My colleague the defence critic, whom I respect a great deal, knows that as well as I do.

It is not an immediate strike that we need to tell our American colleagues about. They know how to do that. They have a greater intelligence and military capacity than we do. They are the greatest power in the world.

The message our Prime Minister needs to convey to the U.S. president is the one he gave to the House when we had this debate on Monday. He said we must have a commitment to do in the long run that which will be effective, not to do in the short run that which will give us a sense we have accomplished something but which would in reality be counterproductive.

That is what we are here tonight to debate. That is why I was so pleased to sit and listen to the debate by my colleague from Mount Royal, a gentleman who has spent his life in academics as well as practical law. He is a learned person known for his interest in human rights throughout the world. As many in the House may know, he has argued in favour of the Palestinians in the Israeli supreme court. He set out for us tonight a vision of a world governed by laws and not by violence, a world in which we could maintain the rule of law together.

Our Prime Minister owes it to the Canadian people not only to go to the president of the United States and say "yes, we are with you", as is suggested by our colleagues in the Alliance. I would ask our colleagues in the Alliance not to tell the Prime Minister to go to the president of the United States and say that we are inadequate and have not done enough. That is untrue and unfair, and it is partisanship at a time when it is inappropriate to be partisan.

We owe it to our colleagues and fellow citizens to urge the Prime Minister to take to the president of the United States a vision of a world which is multilateral, a world in which the United States could be not only the strongest power in the world but a true beacon of liberty.

In this vision the U.S. could share its advantages with the world and help enrich it. It would not just destroy the civilizations of its

enemies but share with them the wealth it has been able to create. It could help make a better world in which all could participate.

● (2335)

Surely that is what Canada is all about. The other day I went to the local mosque in my riding. Somali people and Muslims from all over were there. Many came to up me and said their identity was Canadian. Many such young people have come to me and said they believed they were Canadians and that we were creating, at least in Toronto which is the area I know, a tolerant society that was multicultural, multifaceted and multidimensional.

Surely at this time of crisis we need to listen to the voices of people who tell us that the world and its problems are multifaceted and multidimensional and require a multilateral and sophisticated approach.

My colleagues in the Alliance and I need to strengthen our defences. Yes, we must stand clearly against terrorism. However, we must surely go beyond that. We must reach out to others. We must create conditions in the world where terrorism will be defeated not because people have been killed but because people realized a better life was available to them. That is what I want our Prime Minister to say when he talks to the president of the United States.

[*Translation*]

Ms. Francine Lalonde (Mercier, BQ): Mr. Chairman, the purpose of tonight's debate is to advise the Prime Minister of Canada in view of his upcoming meeting with President Bush on Monday.

I prepared these notes before hearing the speech made by the president of the United States to both the congress and the senate. I listened to it with great interest. I will listen to it again and read it, but tonight, it is with a heightened sense of urgency that I call on the Prime Minister of Canada to raise on Monday many of the issues that were discussed in the House and many of the conclusions that were formulated.

First, we cannot speak to this issue without saying how shocked we all were by this unspeakable tragedy that we all witnessed, through television, on September 11.

It is a new form of attack against any country. It is a form of crime in which individuals agree to have their own death detonate the death of others.

This is not new in history, but this time they are using technology against their human targets. They used commercial airliners to hit specific targets in a way that would make them collapse. They hit both the economic and financial heart of the United States, as well as its military power, when the Pentagon went up in flames.

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No country is protected from this new tool of war. I think that, aside from the deep sympathy generated by such tragedy, this explains why the United States are extended so much sympathy and can be at the forefront of a great coalition that will hopefully rally the whole world against this new kind of terrorism which, we are told, is based on a religious ideal that is shared only by a small minority and is not embraced by all Islamists, far from it.

Yet, despite what I have just said and despite the coalition that is emerging, I think that, with all the diplomacy he can muster and with all his experience, the Prime Minister of Canada will have to make clear on Monday that a coalition implies that allies will be listened to.

We need close co-ordination between all countries, and not only is proof required that the operations were masterminded from outside the United States, but NATO countries will have to go and get mandates from their own people, as they all want to do.

● (2340)

France, for example, said that it would go through its parliament. There would have to be a vote in parliament before French troops are sent in a military action. Other countries could do the same.

We have to go even further than that and Prime Minister Chrétien recognized it in this House. We have to go through the United Nations, because we need to go beyond NATO. We are far from what we have seen in Kosovo or Iraq. The “enemy” that we have been presented with, and is still not clearly defined, is vague and multi-headed. He has many supporters and to be able to attack him with any efficiency, we need the co-operation not only of the usual NATO countries but preferably of all countries around the world.

Once again, for that reason, the United States have to be able to count on full allies. From a good number of them, they cannot expect a blank cheque. That does not mean that all those countries do not strongly support the war against terrorism, against this new form of terrorism, but they will do it in a democratic way. We cannot trample on democracy to save democracy.

The United States were attacked in an exceptionally underhanded and barbaric manner. We must admit that, in Canada and the United States and other countries, internal security measures were not as good as we thought they were. I think this is the case in this instance; we have seen it in different ways and we have to admit that it is the same in the United States.

We will then have to, first of all—it has started here and in the United States—implement security measures, pass anti-terrorism legislation and ratify anti-terrorism conventions. There are two that Canada has not ratified, but it has said it intends to do so. Why? For example, to cut off the funding of these organizations.

However, we know this is not so simple, because as soon as they can benefit from the non-transparency of financial transactions, we can expect that they will be able to get funding from various sources.

So I get back to my argument. There must be close co-ordination in security measures, in legislation and also in a strike, in a response—I think there must be a response, a targeted and specific one. The Prime Minister said we should move forward prudently. I think this word is necessary.

I can only add that whatever action we take will be taken with the steely resolve to win. Otherwise the very foundations of democracy are threatened. All these measures will not succeed; even this whole war which is being declared will not reach its goals.

My party has said so, but it is not alone; today in a survey, 68% of Quebecers said that instead of military action they wanted to understand the root causes and find a peaceful way to deal with what is more than a conflict, to find how to resolve the situation.

It is easy to overlook as being a root cause the fact that these fanatics can easily recruit allies among the millions of people, especially young men, who live in poverty, have no education and no hope.

● (2345)

No security measure, no defence measure, no war measure will ever replace the true hope we must give them. In a way, this event must make us think. It might be too early to ask the Americans to do that, because they are still in shock, but it is something they will have to come to and I am quite sure that in certain spheres they are very close to doing it.

If we are serious about preserving freedom and democracy, we will not be able to do it on the cheap.

● (2350)

[*English*]

The Chairman: The last time slot comprising of 10 minutes, due largely because of the co-operation among members who have been here for quite a while, will be split as follows: the member for Edmonton Southwest will begin with a three minute slot; the member for Renfrew—Nipissing—Pembroke will follow with the same; and the member for Yukon will have an equal amount of time. The debate will be closed by the Parliamentary Secretary to the Prime Minister.

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Chairman, my thanks for allowing me this opportunity to make a few remarks tonight.

This is a very personal issue for me because many of my friends and relatives are American, and to see those attacks on that day was especially horrific for me. I remember my grandmother, who was in California, often talking about the impact of Pearl Harbor on her generation. In my view, this is something that goes beyond that.

On behalf of the people in Edmonton Southwest, I offer my deepest sympathies and prayers for all those who were touched by the attacks. In fact, we were all touched by them.

To get to the specifics of this debate about what advice our Prime Minister should offer, it has been said that we should stand shoulder to shoulder with our American friends and allies, and we have to do this. However, we have to do this with more than just words. We have to do it through our deeds. My worry is that, in this whole situation, relations between our two countries may have been harmed by the debate that has taken place here.

Government Orders

Comments made by some parliamentarians as to the lack of support that we seem to be giving to our American friends have shocked me. I would except the Minister of Foreign Affairs when I say that. There were also some comments about our need to address the root causes or that we had to think rationally.

Consider what the president has done. He has thought rationally. He has been deliberate. He has not reacted in a knee-jerk way. He has been deliberately collecting intelligence on the groups that have perpetrated these deeds.

There was talk about addressing the root causes and somehow if we were pacifists in the face of this type of aggression and if we redistributed the wealth, this would solve matters. That is an issue that we all want to see happen, but will this multi-millionaire terrorist who is supposedly behind these acts be pacified by redistribution of wealth? Pacifism in the face of this type of terror will only further matters.

There was talk about scapegoating. The president and the Prime Minister both talked about this. The president stood in a mosque in the United States and talked about American values and about upholding them. I applaud him for that.

I could go on about the specifics of introducing anti-terrorist legislation, about protecting our frontiers and borders and about giving our army police and security forces the resources that they need so that they can both protect Canada and help our allies in their time of need.

Beyond anything, we have to recognize that this struggle is a moral struggle. It is a battle of good and evil. There is a path of terror and a path of hope. There is a path of cowardice and a path of courage. There is a path that leads toward enslavement and a path that leads toward freedom.

In my view, if we do not recognize this struggle as a moral struggle, those people will have died in vain. This struggle will not simply be one with international agreements or with ratifying this treaty or that treaty by words. It requires a determined and a thoughtful world to truly win this struggle.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Chairman, the message the Prime Minister must take to Washington is that whatever happens the U.S. and its allies must maintain the moral high ground. Our Prime Minister should commit to assisting in helping to build the global coalition to fight terrorism.

The Minister of National Defence mentioned that there may be military involvement. Canada must ensure that there is unequivocal evidence on who exactly the perpetrators are of the attack on America to maintain the moral high ground necessary to prosecute the terrorists and to continue to root them out.

Canadians need to know that in going into the meeting the Prime Minister will clearly state what Canada's objectives are, both from a military and from a political standpoint. Yes, it will be a broad mission but it will have specific objectives. While the pressure from the U.S. must be assessed very carefully we must uphold our NATO commitments.

We must know who is responsible for the attack if measures are going to be taken in retaliation. What are their strengths? What are their weaknesses? Where are they for sure? What is their infrastructure? What is the likely response from the countries who are harbouring the terrorists and from the terrorists themselves?

We must know the answers to these questions so that we can have a mechanism in place to respond accordingly. The response to the terrorists must be a blended response, one from our national, provincial and municipal police forces. The terrorist activities must be identified before they begin to unfold.

Even before Canada becomes militarily involved, we must take steps to mitigate against any recurrence immediately. Intelligence agencies must determine the extent of the terrorist network in Canada and translate that information into an implementable campaign.

Conjuring up support during this emotional timeframe is easy but maintaining it will become controversial. In the long term, a much broader look at security at our borders and at our refugee laws must be taken because they not only allow terrorists through but they tend to attract them.

Over the last 10 years, the government has permitted the safety of Canadians to go adrift. The misplaced priorities of the government have left our professional, committed, very well trained armed forces shorthanded and ill equipped. It is time for the government to put Canadians first and until then Her Majesty's loyal opposition will fight for Canadians.

• (2355)

Mr. Larry Bagnell (Yukon, Lib.): Mr. Chairman, I will make two quick points with the first being some feedback from a couple of my constituents who have a fear of the ramifications of war, a fear of the creation of more terrorists by harming innocent citizens and the great advantages of peace in solving the problems of the world.

On Tuesday, September 11, the world was unveiled to a great new dark beast, a complex beast that requires complex solutions and a beast that lives in cells in many countries of the world and stealthily moves between them undetected. I hope the Prime Minister can sift out of these three days of debate the wisdom required to come up with the complex and correct solution to deal with that beast.

Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.): Mr. Chairman, I want to close by saying that we have had three debates already this week on this topic and we will and certainly should have more. We will be engaging parliament as committees will be engaging Canadians.

In terms of what form our response takes, we have heard discussions on that tonight. We have heard discussions on the where, the when and the how of our response. However the message the Prime Minister can take to the president of the United States is that we need no debate on the why of our response. We are responding and we will respond with resolve because justice and liberty were attacked and those fundamental values for all democracies, including Canada, need and will be defended.

Government Orders

I thank my colleagues and I thank the opposition for suggesting the debate this evening. I assure the House that as the Parliamentary Secretary to the Prime Minister I have taken note of the themes and messages in tonight's debate and I will be reporting those directly to the Prime Minister prior to his meeting with the president of the United States.

The Chairman: It being midnight, pursuant to a standing order made earlier today the committee will rise and I will leave the chair.

●(0000)

The Deputy Speaker: The House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 12 a.m.)

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