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OFFICIAL REPORT
(HANSARD)

Wednesday, May 22, 2002

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, May 22, 2002

The House met at 2 p.m.

Prayers

• (1405)

[English]

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

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

STATEMENTS BY MEMBERS

[English]

ATLANTIC JOURNALISM AWARD

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, I rise to pay tribute to two people from my riding who have been awarded the prestigious 2001 Atlantic Journalism Award.

Shaun Waters of CBC Radio Fredericton won the top award in the category of enterprise reporting for *Two Southeast*, an investigative report which examined a number of suicides in the psychiatric ward of the Chalmers Hospital. The gold winner in the photojournalism spot news television category was Ed Hunter, also of CBC Fredericton, for *Tents Court* which dealt with coverage of a Fredericton protest against a city plan to pipe a stream underground to make way for an apartment building parking lot.

The Atlantic journalism awards honour journalistic excellence and achievement in Atlantic Canada. This year is no exception to CBC's history of strong showings in this vigorous competition.

I ask all members to join me in congratulating Shaun Waters and Ed Hunter of CBC Fredericton on this significant honour.

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MINING INDUSTRY

Mr. Andy Burton (Skeena, Canadian Alliance): Mr. Speaker, last week was National Mining Week, a time when we recognize this industry for the outstanding contribution it has made to this great country. I am proud to rise today to pay a well-deserved tribute to our Canadian mining industry.

Many may not know that this industry directly employs over 400,000 Canadians, that there are 235 major mines and that this

sector is responsible for 12% of Canada's total exports. What an outstanding record of contribution. Whether one is a hard rock miner, works in an open pit mine or uses a personal computer every day, mining plays an important role in our everyday life. That is the power of this industry.

On behalf of the Canadian Alliance I wish to express our heartfelt thanks to the Canadian mining industry and ask that all Canadians join in the campaign to keep mining in Canada.

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[Translation]

WORLD CONFERENCE ON WOMEN AND SPORT

Ms. Hélène Scherrer (Louis-Hébert, Lib.): Mr. Speaker, I am extremely pleased to congratulate the Government of Canada, the Department of Canadian Heritage and the International Working Group on Women and Sport for the success of the third conference on women and sport.

More than 550 people from 97 different countries attended the third World Conference on Women and Sport, held from May 16 to 19, 2002 in Montreal.

The conference identified the obstacles women face, while celebrating the change for the better that has taken place for women in sport over the past four years.

Conference participants pooled their experience on the contribution sport makes to enriching individuals, communities and nations. They learned how to use sport to promote the advancement of women, co-operation, social animation, understanding and peace and to develop self-esteem and self-confidence. These represent the foundation of health and accomplishment for girls and women.

I wish to congratulate the organizers on this highly successful event.

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MAISON DE BALLET-THÉÂTRE REFLET

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, this year, for the 14th year in a row, Francyne Themens and the pupils of the Maison de ballet-théâtre Reflet are preparing for their end of year performance.

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The latest creation of Ms Semens, *Rendez-vous à la gare n° 22*, will be presented at Laval's Salle André-Mathieu on May 25. This recital will suit all tastes, ranging from jazz to classical ballet and modern dance.

It is very important to focus attention on such initiatives with the youth of our communities. This event involves over 150 young and not so young people, and offers them an opportunity to excel in music and dance.

Events such as this provide young people with the opportunity to take part in group activities and to have fun in an atmosphere that allows them to learn and develop their talents.

I extend best wishes to all for a great show.

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[English]

LISTOWEL DISTRICT SECONDARY SCHOOL

Mr. John Richardson (Perth—Middlesex, Lib.): Mr. Speaker, I rise in the House today to recognize the Listowel District Secondary School in Listowel, Ontario. On Monday, May 13, a revolutionary electronics facility named E-Lab was officially opened. This facility is unmatched by any other high school in Canada.

This \$450,000 project was made possible through the generosity of the business and high tech sectors which contributed more than \$300,000 in cash and equipment donations. The E-Lab allows students the opportunity to take advanced technology courses, such as electronics and computer engineering, using the same up to date technology that is used in industries across Canada today. The Listowel District Secondary School has already produced two gold medal champions in the electronic competition sponsored by Skills Canada.

I wish to congratulate Listowel District Secondary School and the constituents of Perth—Middlesex for making this learning opportunity available.

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DISABILITY TAX CREDIT

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, I had the privilege last week to meet with members of various disability advocacy groups who voiced their concern over the government's treatment of the disabled in Canada.

I was presented with a petition containing over 3,600 names. This petition calls for the immediate reinstatement of those individuals who were deemed ineligible for the disability tax credit. A recent project undertaken by CCRA led to the exemption of thousands of Canadians. Over 100,000 disabled Canadians received letters telling them they were no longer deemed disabled. The tone and implications of these letters were both insulting and frustrating to the thousands of Canadians who rely on the disability tax credit.

The mandate of the CCRA states: "We are committed to provide fairness to our clients and to protect their rights through our fairness policies." Disabled Canadians deserve a better government.

• (1410)

2002 WINTER OLYMPICS

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, Canada continues to be a leader in the international fight against doping in sport.

Members will recall that at the recent Salt Lake City Olympics two Russian cross-country skiers tested positive for doping but retained their gold and silver medals ahead of the bronze medalist from Canada, Beckie Scott.

On May 7, 2002, the International Ski Federation announced that Ms Lazutina, one of the Russian skiers, had indeed tested positive for a doping infraction in December 2001 prior to the Olympic games. This revelation now makes it possible for both the International Ski Federation and the IOC to remove all Olympic medals from Ms Lazutina.

We should acknowledge the continued pressure that both the Government of Canada and the Canadian Olympic Association have kept on this issue and encourage a continuation of their efforts in light of the recent doping revelations.

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[Translation]

SOCIÉTÉ RADIO-CANADA

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, what is happening with the Radio-Canada dispute?

First, the Bloc Québécois would like to appeal to Radio-Canada management to resume negotiations and ensure that a breakthrough is achieved on the issue of the permanent status of employees in the cultural sector.

We would also like to hear what the president of Radio-Canada has to say regarding the future of the French section of the public broadcasting corporation, in order to find out if SRC is in the process of preparing to privatize one or more sectors of French language radio or television in Quebec and New Brunswick.

Thanks to the employees at SRC, the public is used to quality programming and current affairs coverage, something it has been missing for two months already.

A petition was signed by over 30,000 people and complaints have been received by most of the members' offices. The petition calls for regular Radio-Canada programming to resume immediately in Quebec and New Brunswick.

We are urging SRC management to ensure, for the sake of the public, the employees and themselves, that this dispute does not turn into a nightmare.

[English]

QUEBEC CITY'S SYNAGOGUE

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, imagine the dismay and horror of Canadians who awoke on May 19, a Sunday morning, to the news that the Beth Israel Synagogue in Quebec City had been the target of a violent act of anti-Semitism. Imagine our collective relief and joy at the news that, by happenstance, the rabbi and his family were in Montreal and thus unscathed.

This act of hatred, intolerance and pure anti-Semitism cannot pass unnoticed. Peace loving Canadians, leaders of all religious faiths, be they Christians, Muslims or other, must denounce this hate crime. After the tragedy of September 11 when here in Canada our Muslim and Arab communities became victims to acts of hatred and intolerance, we all spoke out vigorously and applauded our Prime Minister's public call for mutual respect and peace. Now is the time for another such public statement.

I urge all my fellow parliamentarians to join me in denouncing this repugnant act of anti-Semitism and in reaffirming our pride and respect of all diversity that makes this country great.

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POLICE OFFICER OF THE YEAR AWARD

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, on May 8 the Surrey Chamber of Commerce hosted the sixth annual Police Officer of the Year awards ceremony. Awards were presented in six categories after being chosen from 40 nominations.

This year's recipients were: Staff Sergeant Rick Deets for the Arnold Silzer Community Policing Initiative Award; Langley Chrysler for the Police and Business Partnership Award; Margaret Pattyson for Policing Volunteer of the Year; Janice Spraggs for Police Municipal Employee of the Year; Constable Mike Petrilli for Police Officer of the Year, as nominated by members, employees and volunteers of the Surrey detachment; and Constable Mike Wilson for Police Officer of the Year, as nominated by the community at large.

I wish to offer our congratulations to this year's awards recipients, as well as all those nominated. I also wish to extend our deepest gratitude to all those involved in the policing of our community for their dedication and commitment.

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[Translation]

FONDATION PAUL GÉRIN-LAJOIE

Mr. Serge Marcil (Beauharnois—Salaberry, Lib.): Mr. Speaker, I am pleased to highlight the anniversary of the founding of the Fondation Paul Gérin-Lajoie, an organization that, for 25 years now, has contributed to the basic education of children in the poorest countries in addition to raising awareness of international realities among primary school pupils in Canada.

Yesterday in Montreal, a conference was held on the right to education and globalization, and on the challenges and choices with respect to literacy.

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A delegation of 50 stakeholders in education and international development, together with Paul Gérin-Lajoie, the president of the foundation, will submit today to the Government of Canada a brief that summarizes the work of the conference.

The Fondation Paul Gérin-Lajoie is currently operating in Senegal, Mali, Niger, Haiti and Canada, where everyone is familiar with the foundation's popular spelling bee.

I wish to congratulate the founder and president, Paul Gérin-Lajoie, and all of the foundation's staff.

* * *

• (1415)

[English]

RAILWAYS

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, at a time when Canadian jobs are being lost to the not so friendly fire of American actions on softwood lumber and farm subsidies, another form of Canadian job loss to Americans is happening courtesy of the CNR, which is increasingly only a Canadian shell run by Americans. The latest such insult was manifested at the derailment in Firdale, Manitoba, a derailment which made national news.

What should also make national news is the fact that Winnipeg railroaders were forced to idly watch while an American outfit called Hulcher from Minneapolis was called in to deal with the derailment, ending decades of fine capability on the part of Canadian railroaders to deal with such derailments. Not only did this threaten jobs, it took some 12 hours to have this American crew get there.

Shame on the CN and shame on the Liberals for allowing CN to behave in this way.

* * *

[Translation]

MATANE RIVER SALMON

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, in mid-July, an innovative project will provide visitors at Montreal's Biodôme with a virtual link to the Matane River salmon.

Through the use of three cameras connected through fibre optics, visitors will be able to witness the migration of Atlantic salmon live from the Matane River observation post, three times a day, from mid-July to early September.

Visitors will also be able to put questions to naturalists, who will also act as interpreters. Congratulations to Bernard Beaudin, the chief executive officer of the Fondation de la faune du Québec, for this wonderful initiative.

Tourisme Québec, the Société de la faune et des parcs du Québec, the Lower St. Lawrence region, the Fédération québécoise pour le saumon atlantique, the local development centre, the Société d'aide au développement and the Cegep of the Matane region are active partners in this initiative.

The Bloc Québécois congratulates the Société de gestion de la rivière Matane, its director general, Réal Soucy, and its president, Daniel Blanchard.

Oral Questions

[English]

YORK WEST

Ms. Judy Sgro (York West, Lib.): Mr. Speaker, it is with great pleasure that I rise to recognize a very special group of people from my riding who are visiting Parliament Hill today. They are 55 members from the North Islington Seniors group. This is an event which they and I have looked forward to very much.

The North Islington Seniors are a very active group of seniors in my riding. President Vince Scida and the executive organize many activities in and around Toronto. Today the group's trip to Ottawa was a first for many.

I wish to ask the Prime Minister and members of the House to join me in giving a warm welcome to the members of the North Islington Seniors from York West. *Un grande benvenuti a tutti.*

* * *

SOFTWOOD LUMBER

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, once again I rise to question the effectiveness of the Minister for International Trade in the most important softwood lumber negotiations with the United States.

The government is now trying to paint the decision to refund Canada's \$760 million in bonds as an achievement when in fact the new charges went into effect yesterday and will cost billions of dollars to the industry. The president of Doman Industries, a major player in the softwood business, says:

—governments should be embarrassed by their lack of progress in negotiating a settlement...

Even worse, the U.S. trade representative, Ted Zoellick, said this week:

The sense I've gotten from the Canadian government is they're not interested in further discussions...

I hope the government can explain that to the thousands of workers who face unemployment. The long term solution to this crisis will be a negotiated agreement. A great start would be for the minister to pick up the phone, call Mr. Zoellick, and tell him we are interested in negotiations.

ORAL QUESTION PERIOD

[English]

GOVERNMENT CONTRACTS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, yesterday I asked the Prime Minister to table a complete list of the government's advertising and sponsorship contracts. With each new document and with each new piece of information we learn more about how the government is abusing, squandering and wasting taxpayer dollars.

It is not acceptable to wait until an auditor general's report in late 2003 to get some answers. Canadians deserve better. I ask again, will the Prime Minister table the list and, if not, why not?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there is legislation called access to information. If someone applies under that legislation, according to the law the department is obliged to give the information requested.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, we expect open and honest information here, not to have to make 58,000 access to information requests.

Canadians deserve to have the air cleared. One Quebec based advertising executive said that he was told he lost out on government business because his donations to the Liberal Party were not generous enough. Another Ottawa based advertising executive said that he was pressured for donations and free ad work for the Liberal Party.

In order to assure Canadians that he is not running some kind of cash for contracts policy, will the Prime Minister provide the list and show that he has nothing more to hide?

• (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have said that there are hundreds of access to information requests and we comply with them all the time. That is the process. I do not have the list here in front of me. However if there is an application for these contracts it should be done.

We have a program and, I want to repeat, the auditor general is looking into that. If there was some wrong in the administration of the program and people received money they should not have received they will be obliged to pay it back. If some of them acted in a fashion that was against the law they will have to face the courts.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I provided a request right here and a straightforward Prime Minister will provide me with the information.

[Translation]

I have a last supplementary question. During an interview, Claude Boulay, the president of Groupe Everest, said that it definitely helps to be a Liberal when negotiating with this government.

Since it is Mr. Boulay who rented a cottage to the public works minister, will the Prime Minister agree that all discretionary spending for advertising must be frozen during the auditor general's investigation?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it is obvious that, in Quebec, there are many more Liberal supporters than Canadian Alliance supporters.

If the Canadian Alliance wants to make accusations, I will simply repeat that the auditor general is reviewing the matter. We asked her to look at these files. She will report on her findings.

If administrative mistakes were made, they will be corrected. If money was paid for nothing, it will have to be refunded. If some people stole money, they will have to face the courts.

Oral Questions

[English]

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, Daniel Boudria was a senior adviser to Alfonso Gagliano in public works. Mr. Gagliano's watch in public works has proven to be rife with bogus contracts, inflated payouts and financial benefits to, surprise, surprise, the Liberal Party.

How could the current public works minister not recognize the conflict of ethics prior to his free night's lodging at Claude Boulay's chalet when his own son was in the middle of these controversial contracts?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, a member of my family, namely my daughter-in-law, rented a chalet for our family for a weekend in March.

I appreciate that colleagues have a right to ask these questions and they have a right to doubt. However I have in hand a sworn affidavit from the priest of the parish who received the money. The priest signed the affidavit stating that on April 21 he was offered the cheque by Mme. Diane Deslauriers. There was no freebie. I think this document vindicates me.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the carpet these guys sweep everything under is getting pretty lumpy so now they are starting to hide things in the church.

It is not what you know but who you know. Groupe Everest president, Claude Boulay, admitted that it helps to be a Liberal to get these fat contracts. The spider's web of friends, relatives and associates is blurring the lines of accountability for taxpayer money.

How do these guys justify this type of thing to taxpayers when they keep abusing the system like this?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the hon. member is wrong twice. First, the firms at the present time that received the contracts for sponsorship won the contracts through a standing offer agreement.

Second, I have issued a brand new standing offer agreement opening it to dozens and dozens of more companies by changing the criteria.

The hon. member knows all that as he was given a briefing yesterday morning at 8.30.

• (1425)

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, every day we find out a little more. Yesterday, the Prime Minister told us that it would have been a serious matter if the minister had not paid. Yesterday—

Hon. Sheila Copps: And he did pay. He paid.

Mr. Gilles Duceppe: The Minister of Canadian Heritage does not need to get all worked up. I am going to finish my question. She may be involved in all this too. We will see.

Yesterday, the minister of public works told us that he did not know whether the cheque had been cashed. Today, we are told that there was apparently an affidavit.

Does this not prove that what is needed is a public inquiry, with all the documentation submitted, at which people can be questioned and both sides of cheques viewed?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, he has just read an affidavit signed by the priest in question, who said that he had received a cheque endorsed by the person who had received it a few days earlier.

I think that, as we go through life, we should be a bit reasonable. When the minister in question says that he paid \$800, \$400 a night, that he paid immediately to occupy a house, and that he spent the full amount, I do not see anything illegal and immoral in that.

Furthermore, he said, "Perhaps, looking back, I should not have gone there". But in actual fact, he paid the full cost of the stay.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister talks about looking back. This is precisely what we want to do—look back and find out what happened. This is why a public inquiry is needed. What we are being given is an affidavit.

Could we see both sides of the cheque, the dates, who cashed it, whether it was cashed? Just because he received it on April 21 does not necessarily mean that it was cashed. Even the minister concerned did not know yesterday whether it had been cashed. There is definitely still a problem somewhere. Would things not be clearer if a public inquiry were held, so that those involved in this affair could be questioned and all the documentation examined?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have the House of Commons, which is the most public place in Canada, where the minister rose in his place—

Some hon. members: Oh, oh.

Right Hon. Jean Chrétien: —and gave the facts. This is a lack of respect for this institution. We are here to answer for the actions of the government. That is how the system works. But because we are giving them answers, they want to continue with their fishing expeditions.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, there is just one problem with the Prime Minister's reasoning.

Yesterday, before coming into the House of Commons, the most public of all public places in Canada, he declared before all the journalists that his minister had paid, and that everything was settled. Then, an hour later in the House of Commons, his minister said, "I am not aware of a cheque. I did not personally see it. I am not involved".

Could the Prime Minister explain to us whether he does not find it a bit odd that, in trying to defend his government, he tells us things that, a few minutes later, his own minister did not know and was not able to confirm? That is the problem.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the minister said he is not the one who signed the cheque.

Some hon. members: Oh, oh.

Oral Questions

Right Hon. Jean Chrétien: The cheque was not from him. He is not the one who signed it, it was a cheque from Mrs. Paule Charbonneau to Mrs. Diane Deslauriers. The minister told the exact truth: he is not the one who wrote the cheque. His son's wife made the cheque out to the owner of the cottage, and it was handed to that owner at the time they went skiing. The cheque was for \$800. We have an affidavit stating that it was endorsed and handed over in the month of April to the parish priest.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I will make things a little clearer for the Prime Minister, if I may. What is of concern to me is not the minister's cheque. It is that the Prime Minister, in defence of his minister, told us that he had paid, that everything was settled, while his minister within an hour was telling us the opposite, "I am not aware, I have not checked into it, but I will".

What I want to know is this. How can the Prime Minister rise in the House and tell us things that he has not checked out, solely for the purpose of camouflaging his government's problems?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, frankly, we have given the House all the facts. When the minister said that it had been paid for, it is because he was told that it had been. Not that he had paid, someone else had. He was a guest of his son and daughter-in-law. There is not, therefore, anything scandalous going on here.

The parish priest has sworn that he was handed the cheque personally in April. What more proof does the member want?

* * *

• (1430)

SHIPYARDS

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, our farmers and softwood lumber workers are suffering from the effects of American protectionism. In the auto industry, 15,000 jobs have been lost.

Now the government is threatening to abandon the workers at shipyards in Lévis and Saint John. In 1993, the Prime Minister promised a multisectoral industrial strategy, yet this strategy does not exist. The government has abandoned all of these workers. Why?

[*English*]

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, on softwood lumber the member knows that the Minister for International Trade continues his efforts and, working with other ministers of the government, will see to the needs of communities affected by the unlawful American action.

With respect to the shipyards, we are looking closely at our procurement needs as a government. We will not simply have ships built for the sake of creating jobs in shipyards. However if our procurement needs are such that shipyards cannot be kept busy then we will look at all the options, which is what we are doing.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, these days the best shot at a job for these workers is to donate to the Liberal Party coffers and line up for Liberal advertising contracts.

There is more to an industrial strategy than doling out money to one's advertising friends.

In the last election the Liberals paraded across the country promising to strengthen our shipbuilding industry. Whatever happened to that commitment?

We know the government is big on advertising contracts. It turns out it is big on false advertising. Where is the promised investment to secure Canadian shipbuilding jobs for the future?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the member talked about employment. She ought to realize that over the course of the last year some 214,000 jobs were created in this economy, 36,000 jobs in April alone. The unemployment rate is now down to 7.6% and the country's economy will grow faster than any other in the OECD.

Throughout the economy, whether it is shipbuilding, steel or aerospace, the government is acting to make sure that opportunities are there for Canadians. We will continue to look at all the options to make sure that is the case.

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GOVERNMENT CONTRACTS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, in an earlier investigation of Mr. Gagliano last May, the ethics counsellor described the rules for approving advertising contracts. He said "a recommendation...is submitted to the minister of the client department...for approval". So it is the minister who approves.

Did the current Minister of Public Works and Government Services follow the rules and personally approve the six contracts worth over \$760,000 awarded by Communications Canada to Groupe Everest just days after he spent the weekend at the mansion on the lake owned by the president of Groupe Everest?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the answer to that should be obvious. It is no.

[*Translation*]

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, section 23 of the conflict of interest code sets out, and I quote:

A public office holder shall take care to avoid being placed or the appearance of being placed under an obligation to any person or organization...that might profit from special consideration on the part of the office holder.

This is the law. It is there in black and white.

The minister of public works has clearly violated the code. The ethics counsellor has said that he was investigating. Will the Prime Minister suspend the signing authority of the minister of public works until this investigation is completed?

Right Hon. Jean Chrétien (Prime Minister, Lib.): No, Mr. Speaker.

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, yesterday the minister responsible for CIDA told the House of Commons that she had done nothing to obtain an additional \$1.3 million for Transelec, a company that belongs to a friend of the Prime Minister.

However, according to the media, CIDA proposed transferring this money to the government of Mali for Transelec. What actually happened?

*Oral Questions**[English]*

Hon. Susan Whelan (Minister for International Cooperation, Lib.): Mr. Speaker, quite clearly, as I said yesterday and I will say again today, this is a dispute between a Canadian company and the government of Mali. There has been no offer made from CIDA to pay any additional amount to anybody. There has been no decision taken to pay any additional amount of money.

• (1435)

Mr. Deepak Obhrai (Calgary East, Canadian Alliance): Mr. Speaker, the lobbyists registration branch is going to investigate Michel Beliveau, a paid staffer to the Prime Minister who pressured CIDA officials to fork over the cash. The last time an unregistered lobbyist connected to the Prime Minister tried to get money for the Prime Minister's friends, the RCMP was called in.

Canadians deserve better. Why has the RCMP not been called in to investigate this file?

Hon. Susan Whelan (Minister for International Cooperation, Lib.): Mr. Speaker, as I said yesterday and I will say it again today, no decision has been made to pay any additional amount of money to anybody. The Canadian company that was awarded the contract by Énergie du Mali had a bid that was 30% lower than any other company. That is why it received the contract. That is why it was paid in the first place.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, according to the ethics counsellor himself, who is personally accountable to the Prime Minister, the ethical rules also apply to the political staff of ministers. If members of the family of the minister of public works are targeted, it is not because they are members of his family but, rather, because they are members of a political staff.

Will the minister admit that only an independent public inquiry can dissipate the doubts that exist regarding the minister's actions and those of his family members?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I know the hon. member opposite well, and I think he also knows the members of my family. The hon. member knows full well that I did not do anything to put myself in a conflict of interest situation.

Today, I have the evidence to support this. Until I had such evidence, the hon. member might have been justified in asking his question. The evidence is there. I would ask the hon. member to acknowledge this.

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, it is indeed difficult for me, as it is for him.

However, the minister himself had his son get involved. It is his office that produced a copy of the cheque signed by his daughter-in-law. Finally, it is the ethics counsellor himself, the Prime Minister's own employee, who pointed the finger at the political staff and showed that three ministerial offices were involved in this matter.

Is this not proof that an independent inquiry is absolutely necessary?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the minister of public works asked the ethics counsellor to review all

the facts. This is what the ethics counsellor is currently doing. He will release a report when he is finished with his review.

[English]

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, I have a very straightforward question for the public works minister. The Quebec company Groupe Polygone has been given over \$1 million to run a Montreal trade show, yet the Canadian National Sportsmen's Shows, which run shows in six major Canadian cities including Montreal, has not received one cent in sponsorship money.

How is it that the Canadian National Sportsmen's Shows, in existence for over 40 years, is ignored while a company friendly to the Liberals receives over \$1 million in sponsorship funds?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, first, since I have become public works minister I have established rules which will make it such that a number of these things will not get sponsorships this year.

Second, I invite the hon. member to refer to an Ottawa *Sun* article today in which Mr. Austin Harley of the Sportsmen's Show was interviewed. He said that he had never asked for a sponsorship. He has not been refused.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, I and my staff did speak to him. We also spoke to the lady who runs the Montreal show. If the minister's excuse is that the Canadian National Sportsmen's Shows did not make application for sponsorship, he is dodging reality. It was never made aware, as Groupe Polygone was, of the existence of sponsorship money. Of course it probably is not contributors to the Liberal fund.

My question is this. Could the public works minister confirm that Groupe Polygone got sponsorship money because the Minister of Citizenship and Immigration, the Liberal's chief political minister for Quebec, privately informed it of the existence of sponsorship money?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, this is bordering on silly. The hon. member says that people do not know of the sponsorship program. Companies from Spruce Meadows in Alberta to companies in B.C. to the national hockey rinks right across the country to organizations in Montreal and Halifax all know of it except this person. Who does he think we are?

* * *

*[Translation]***SHIPYARDS**

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Mr. Speaker, yesterday, we learned from various media sources that the Minister of Industry wanted to shut down the shipyards in Saint John and Lévis and requested \$100 million for that purpose from the federal government.

Is the Minister of Industry able to confirm or deny this information for shipyard workers, who are visiting Ottawa today in order to remind him of his government's election promises?

Oral Questions

●(1440)

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, I will be meeting with union representatives tomorrow morning.

As for the shipyards, it is not up to us to decide whether or not they should be shut down. That is a decision for the owners.

We have now completed a study of our procurement needs. We will take the necessary decisions in consequence. If there is an impact on the communities affected, we have not ruled out any option.

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Precisely, Mr. Speaker, he has not ruled out anything.

How could the government tell shipyard workers in Lévis for two years, and go on telling them during the last election campaign, that it was working on a shipbuilding policy, when the minister is getting ready to change course, or considering doing so, by shutting down shipyards without talking to anyone and by unceremoniously putting shipyard workers out on the street?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, almost one year ago, we developed and adopted a shipyard policy. As a result, a number of shipyards were successful in negotiating important job contracts.

However, with respect to the two major shipyards, Davie in Quebec, and Saint John in New Brunswick, our decisions regarding future procurement will probably have an impact on the communities. We are in the process of considering all the options.

* * *

[English]

GOVERNMENT CONTRACTS

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the RCMP has begun an initial probe of the government's handling of public works contracts worth a total of \$1.6 million, for which the auditor general fingered senior public servants for breaking "just about every rule in the book".

RCMP Sergeant Paul Marsh says that the RCMP will conduct its preliminary work as expeditiously as possible. Does the solicitor general have a time line from the RCMP as to when it will finish its preliminary investigation?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, my hon. colleague is well aware, as I have said it many times in the House, that I do not direct the RCMP on how to conduct its affairs.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, I can appreciate that the solicitor general cannot comment on the investigation of the RCMP, especially since a cloud still hangs over its head as a result of the political interference with APEC and Airbus.

Will the solicitor general table in the House the report of the RCMP on the same day that he receives the report?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, when the RCMP conducts an investigation, it does a report. It decides on what it does with the information it receives.

[Translation]

RADIO-CANADA

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, there have been labour troubles within the French network of the CBC for some time now, too long in fact.

Last week we had hopes of a solution to the conflict, but it was unfortunately turned down. This week there are other rumours that developments may be forthcoming at any moment.

Could the Minister of Labour tell the House of any recent developments there may have been in the labour dispute at Radio-Canada?

Hon. Claudette Bradshaw (Minister of Labour and Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, today the parties have, with the assistance of a mediator, concluded an agreement in principle. This agreement is subject to ratification by the union membership. The vote is taking place this afternoon.

* * *

[English]

KYOTO PROTOCOL

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, yesterday the Minister of the Environment failed to reach a consensus with the provinces on meeting our Kyoto commitments. Without the commitment of Alberta, Canada's largest polluter—

Some hon. members: Oh, oh.

Mr. Joe Comartin: The facts are there, Mr. Speaker. It is twice as high as anybody else.

In light of the repeated promises to ratify Kyoto this year, what contingencies, if any, does the federal government have to put in place and to ratify Kyoto without the support of Alberta? Will the government commit today to doing so without provincial unanimity?

●(1445)

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, the government will continue to do what it has done since 1997 and that is continue to consult with Canadians.

The plan that Alberta brought forward had many ideas that we can support but the federal government wants to continue to deal with climate change through the Kyoto process. This is substantive negotiation. All through the month of June we will continue to consult with Canadians and stakeholders and in the fall we will come forward with a plan that has consensus.

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, the multibillion dollar U.S. farm bill will doubtlessly drive thousands more Canadian farmers out of business, especially those trying to export product. Two weeks ago the prairie premiers asked for a trade injury compensation package of \$1.3 billion. There must be no talk of cost sharing in this arrangement because trade is solely a federal responsibility.

My question is on behalf of desperate Canadian farmers. When will the government heed the plea of the premiers and the farmers by announcing a trade injury compensation package?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are extremely preoccupied with the farm bill the Americans have passed. For years we believed that the American administration was an administration that was in favour of free trade and that it would let the market forces stabilize the prices.

We are studying the problem at this time. We hope the Americans will see that it is against the interests of the farmers of Canada and around the world to give these subsidies that depress the price and affect all farmers. We will fight to help Canadian farmers.

* * *

SHIPBUILDING

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, eight months ago I advised the Prime Minister and the Minister for International Trade that the Bush administration might be prepared to make changes to the crippling Jones Act. That information came directly from Vice President Cheney during a meeting that our leader, the member for Cumberland—Colchester and I had with the hon. vice president.

Could the Prime Minister or the minister responsible advise the House what steps they have taken to negotiate a change to the Jones Act, an act that continues to undermine our shipbuilding industry?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the hon. member was kind enough to pass that information on to me some weeks ago. I took it up with my officials and we are pursuing it.

I have to tell the member that so far there has been no indication of a willingness on the part of the Americans to change legislation, which in many ways is the high water mark of protectionism, certainly in terms of shipbuilding and shipping for Canada.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, that is not what Vice President Cheney told me when I asked him about it.

In the last election the Liberals campaigned on saving the shipbuilding industry in Canada. A year later the Minister of Industry offered a list of recommendations from stakeholders. All we got was a list. Today, a once great and proud shipbuilding industry is fighting for its survival and shipbuilders cannot feed their families.

Will the Prime Minister rise today and offer a concrete commitment to bring in a new shipbuilding policy and put our men and women back to work?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, we did develop and adopt a shipbuilding policy in June last year. As a result of that shipbuilding policy, we concluded the structured

Oral Questions

financing facility and other elements. Work is being attracted to shipyards in this country. There are shipyards across Canada that are busy as a result of the structured financing facility and other elements.

In terms of Saint John and Davie, we are looking at our procurement needs in the long term and if our procurement needs are such that they will not be busy with major federal contracts, we will have to look at a range of options as to how to deal fairly with the communities affected.

* * *

ACCOUNTING STANDARDS

Mr. Charlie Penson (Peace River, Canadian Alliance): Mr. Speaker, yesterday in Toronto the Minister of Finance was lecturing the private sector to improve its corporate accounting standard as a way of strengthening investor confidence. This from a Minister of Finance whose own creative budget schemes have drawn criticism from two auditor generals. They are very concerned about the billions of tax dollars he has stashed in off book accounts for foundations.

Now that he is lecturing the private sector, when will this financial physician finally heal himself?

• (1450)

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, first, all of those foundations are audited by private sector auditors. Second, those foundations, as an example the Canada Foundation for Innovation and the Canadian Institutes of Health Research, were mentioned in the speech and were welcomed by the venture capitalists, because basic research forms the foundation with applied research, the commercialization of the research and the job creation that follows.

Yes, I did lay out a very detailed plan as to how we build a modern economy and it was applauded.

Mr. Charlie Penson (Peace River, Canadian Alliance): Mr. Speaker, perhaps the finance minister could follow his own advice.

This is what the auditor general says. She says that foundation financing lacks the “essential requirements for accountability to parliament”. She says that treating the \$7 billion transfer to the foundations as an expenditure “compromises the integrity of the government’s reported financial results”.

That is what she says. When will the finance minister reinstate the transparent and generally accepted financial accounting principles that he preaches to others?

Oral Questions

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, transparency, certainly, is appearing before a House of Commons committee. The Canada Foundation for Innovation has appeared seven times in front of parliamentary committees and members have the opportunity to discuss with the president the kinds of projects which are being financed.

I must say that when we look at the billions of dollars that have gone into research and Canadian industries in the new economy in terms of environmental technology, biotechnology, nanotechnology and information technology, all of those industries are now growing in Canada compared to other countries. Venture capital is faster here than in the United States. Our policies are working.

* * *

[Translation]

GOVERNMENT CONTRACTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, at the beginning of oral question period, the minister of public works revealed that he has in hand an affidavit proving that the parish priest received a cheque on April 21. We would like to see the back of this cheque. However, I believe him and I trust his affidavit.

But does he not find it somewhat curious that on April 18, three days earlier, Joël-Denis Bellavance wrote an article in *La Presse* revealing that in addition to the Groupaction investigation, the auditor general was about to investigate Lafleur Communications Marketing and Groupe Everest?

Is this not a curious coincidence that the dates match? Is the affidavit still as credible? Is the proof still as credible?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the person who received the cheque, the parish priest, said in fact that he received the cheque at the first communion of Ms. Deslauriers' daughter.

I did not attend Ms. Deslauriers' daughter's first communion. I do not know on what day she gave him the cheque. The priest said that he received it that day.

None of this has anything to do with your humble servant. I neither wrote, nor received the cheque. Nor did I speak with Ms. Deslauriers or the priest back then about the alleged transaction.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we do not wish to know if there was a first communion or if Ms. Deslauriers went to confession on April 21. That is not what we want to know.

It seems a bit curious that on April 18, it was announced that Groupe Everest would be investigated, that in the month of March, the minister of public works supposedly paid for the costs of a chalet through his daughter-in-law, and that suddenly, three days later, a cheque was given to a parish priest, who signed an affidavit.

Does this not call for a public inquiry? Are we not playing with the dates and taking everyone for fools by using just about every untenable argument there is to try to get out of this?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I did not play with the dates. The hon. member opposite should not play with the truth.

[English]

NATIONAL DEFENCE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, when we challenged the minister in January about whether or not he could sustain a battle group in Afghanistan, he assured us that he could. Now the minister has admitted that he cannot because of the government's shameful neglect and shameful underfunding of our military.

The minister has no trouble finding money to buy luxury jets for the Prime Minister. Why is it that he has so much trouble finding the resources that our military so desperately needs?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the hon. member may feel shameful but we on this side of the House are quite proud that we were one of the first to contribute to the campaign against terrorism. We are quite proud that we are the fifth largest contributor to the coalition effort. We are quite proud that we will continue to be represented by 1,300 Canadian forces personnel even after the battle group leaves Afghanistan. Above all, we are quite proud of the outstanding work done by the men and women of our Canadian forces.

• (1455)

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, proud of our troops, yes, and ashamed of the government and its lack of commitment to our military. The government has let our soldiers down and has let Canadians down because of misplaced priorities.

First it buys luxury jets instead of replacing 40 year old helicopters. Now we find out today that the former chief of defence staff is getting \$100,000 for the inquiry into the deaths of our soldiers in Afghanistan, \$100,000 when the widows of the soldiers killed are getting only \$1,400 a month. Why is that?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I would dispute those numbers.

We have invested in the Canadian forces some 20% over the last three years. We will continue to invest in the coming years. There were cuts, yes, before that so that we could get our deficit eliminated, but we are investing. We are ensuring that our Canadian forces get the resources they need to do the job.

We want to make sure that the families of those victims, those people who died, are properly looked after as well.

NATIONAL SECURITY

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, my question is for the Deputy Prime Minister. Last week the Deputy Prime Minister met with U.S. homeland security director Tom Ridge as a continuation of their ongoing discussions of the 30-point smart border action plan, which was outlined in the smart border declaration signed last December.

Could the Deputy Prime Minister tell the House the results of these smart border discussions and specifically about the integrated border enforcement team which in the near future will commence operations in the Niagara region?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I did meet with Governor Ridge in Buffalo last week. I think we made some good progress both on economic and security issues.

First, with respect to the economy, we were able to agree to the expansion of the important NEXUS program to accelerate passage for individual travellers across the Canada-U.S. border into southern Ontario, borders that transfer between Ontario, New York and Michigan. Second, I was able to receive confirmation that new U.S. rules will not apply to Canadian snowbirds, something that has made a lot of our Canadians very happy. Third, we have agreed to initiate our fifth integrated border enforcement team in the Niagara area.

* * *

SOFTWOOD LUMBER

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, the minister of trade insults forest workers by saying that they are not victims of a trade dispute. The government has offered only useless platitudes to assist laid off forest workers.

Compare this callousness to yesterday's announcement by the HRDC minister to take action within hours of an emergency resulting from a fire at Notre-Dame-du-Lac.

Why does the government continue to ignore the lumber emergency?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, the government is fully aware of the difficult situation that our communities and workers have been going through in British Columbia and across Canada over the softwood lumber dispute. This is loud and clear.

The entire wood sector of Canada and this government condemn the latest duties imposed by the United States government. I raised this again this morning with Ambassador Paul Cellucci of the United States.

We do want to go back to the negotiating table should we receive any signal that there is a change in the dynamic with the United States administration and with its own coalition of producers.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, every time I ask a question about the softwood dispute I get the same answer from the minister, "we have been working very, very hard on this file", but nothing ever happens. Nothing.

Oral Questions

A proposal for Export Development Canada to insure softwood tariffs so that companies will have a smaller cash requirement has been stonewalled by government indifference and inaction.

When will the minister actually do something?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, same question, same answer, and what I can tell the member is that our government will fight these duties. With the provinces, we will be there for our workers, communities and industry. We will challenge before the WTO and NAFTA and Canada shall prevail.

* * *

• (1500)

[Translation]

GOVERNMENT CONTRACTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I have with me the affidavit produced by the minister of public works. In this affidavit, the priest says that he was not able to cash the cheque and that he gave it back to the family. Therefore, the condo has not yet been paid for and the Prime Minister told us that it would be serious if no money had been paid.

My question to the Deputy Prime Minister is as follows. Now that we know that no money was paid, that the cheque was never cashed, is he still telling us what we were told yesterday, namely that if no money was paid, then this is a serious matter?

Mr. Guy St-Julien: Liar.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, based on the information that was given to me during a telephone call to my office this morning, the cheque was cashed.

* * *

[English]

SOFTWOOD LUMBER

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, my question is for the Minister for International Trade.

The Canadian softwood lumber industry will be brutally hurt by the new U.S. duties that have been effect since midnight. What will the minister do while we fight this and eventually win at NAFTA and the WTO to ensure that our industry is able to survive and prosper? Will the minister introduce measures that will minimize the impact on our sawmill industry and the sawmill workers in Canada?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I appreciate the question from my colleague who has vast work experience in the forestry industry. He worked for 15 years in the industry. He pays attention and he takes care.

I want to reassure the House and my colleague that our government will stand by our workers, we will stand by our communities and we will stand by our industry.

We made some important announcements last week. Every option is being analyzed. We shall continue our fight with the Americans in the courts. We would still favour a negotiated resolution.

*Private Members' Business***AGRICULTURE**

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, I have another trade question. Yesterday the agriculture minister told me in question period that in regard to the challenge to the United States farm bill under NAFTA and WTO he did not know too much about it. The Prime Minister said today that he is trying but is not accomplishing anything.

The cabinet should have had an action plan to go into effect the day the bill was signed. The trade minister has not learned anything from the softwood lumber mistakes he has already made.

It has been a week since the farm bill was passed. Why has the government not initiated a challenge to the U.S. farm bill under WTO and NAFTA?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, the member should read the newspapers. I spent much of last week with the OECD trade ministers in Paris, with the WTO ministers, with the Cairns Group, which my colleague, the minister of agriculture, and I work with very closely. We have spent hours talking about the U.S. farm bill, which is infuriating not only Canada and Canadian farmers but the whole WTO system. The whole planet is infuriated by this trade bill.

We need to co-ordinate our actions with our partners, and I can tell you one thing, Mr. Speaker, we have a lot of allies on that front.

* * *

PRESENCE IN GALLERY

The Speaker: I wish to draw to the attention of all hon. members the presence in the gallery of the Honourable Sam Mpasu, Speaker of the Parliament of Malawi.

Some hon. members: Hear, hear.

* * *

● (1505)

BUSINESS OF THE HOUSE

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

That, in the opinion of this House, the reason why 69% of Canadians polled in a recent survey viewed the "federal political system" as corrupt is because Ministers of this government have failed to make public their secret Code of Conduct, have broken their own Liberal Red Book promises such as the one to appoint an independent Ethics Counsellor who reports directly to Parliament and have failed to clear the air over allegations of abusing their positions to further their own interests and those of their friends.

This motion standing in the name of the hon. member for West Vancouver—Sunshine Coast is not votable.

[Translation]

Copies of the motion are available at the Table.

PRIVATE MEMBERS' BUSINESS

[Translation]

TAX CREDITS

The House resumed from May 21 consideration of the motion.

The Speaker: It being 3 p.m., pursuant to order made on Tuesday, May 21, the House will now proceed to the taking of the deferred recorded division on Motion No. 478 under private members' business.

Call in the members.

(The House divided on the motion, which was negated on the following division:)

(Division No. 287)

YEAS

Members

Abbott	Ablonczy
Adams	Alcock
Anderson (Cypress Hills—Grasslands)	Bachand (Richmond—Arthabaska)
Bailey	Bélanger
Benoit	Bergeron
Bigras	Blaikie
Borotsik	Bourgeois
Breitkreuz	Caccia
Cadman	Casson
Castonguay	Chatters
Clark	Comartin
Cotler	Crête
Cummins	Davies
Desjarlais	Desrochers
Duncan	Elley
Epp	Gagnon (Québec)
Gagnon (Champlain)	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Hanger	Harper
Harris	Herron
Hill (Macleod)	Hilstrom
Hinton	Hubbard
Jaffer	Johnston
Keddy (South Shore)	Keyes
Laframboise	Lalonde
Lancôt	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Mark	Martin (Winnipeg Centre)
Masse	Mayfield
McDonough	McNally
Meredith	Merrifield
Moore	Normand
Nystrom	Obhrai
Pallister	Penson
Perron	Picard (Drummond)
Proctor	Rajotte
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Savoy	Schmidt
Scott	Skelton
Solberg	Sorenson
Spencer	St-Hilaire
St-Julien	Stoffer
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Vellacott
Wayne	Williams
Yelich — 103	

NAYS

Members

Allard	Anders
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Private Members' Business

Assad
Bagnell
Bertrand
Binet
Bonin
Bradshaw
Bulte
Caplan
Catterall
Chamberlain
Coderre
Comuzzi
Cullen
Day
Dion
Duplain
Eyking
Fitzpatrick
Frulla
Galloway
Goodale
Harb
Harvey
Jennings
Karetak-Lindell
Knutson
Lee
MacAulay
Mahoney
Maloney
Marleau
McKay (Scarborough East)
Mitchell
Nault
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pillitteri
Price
Reed (Halton)
Robillard
Saada
Shepherd
Speller
St. Denis
Szabo
Tirabassi
Ur
Vanclief
White (North Vancouver)
Wood— 109

Augustine
Barnes
Bevilacqua
Blondin-Andrew
Boudria
Bryden
Calder
Carignan
Cauchon
Charbonneau
Collenette
Coppes
Cuzner
DeVillers
Discepola
Eggleton
Finlay
Folco
Fry
Godfrey
Guarnieri
Harvard
Jackson
Jordan
Kilgour (Edmonton Southeast)
Lastewka
Leung
Macklin
Malhi
Marcil
Martin (LaSalle—Émard)
McLellan
Myers
Neville
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pratt
Redman
Richardson
Rock
Sgro
Simard
St-Jacques
Stewart
Thibault (West Nova)
Tonks
Valeri
Whelan
Wilfert

in order to maintain decorum in this House, I would like clarification from you on something before we continue.

In response to a question from the leader of the Bloc Québécois, the minister of public works said, as you heard very well, that the hon. member should not “play with the truth”. I would like to know whether the expression “play with the truth” is parliamentary.

If you are not in a position to give me a response today, Mr. Speaker, I would like you to get back to us on that. If the expression is deemed unparliamentary, I would like the minister of public works to withdraw the expression “play with the truth”.

Second, reacting to another legitimate question from the leader of the Bloc Québécois, the member for Abitibi—Baie-James—Nunavik clearly, and those of us on this side heard it, called the member for Laurier—Sainte-Marie a liar. I would therefore ask the member for Abitibi—Baie-James—Nunavik to withdraw the word.

• (1520)

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, I did indeed call out menteur while looking at several Bloc members.

If the leader of the Bloc Québécois felt he was the target of this—I repeat, felt he was the target—then I reckon a strong north wind must have blown directly in his face.

I apologize to the other 21 members present.

Some hon. members: Oh, oh.

The Speaker: If the hon. member for Abitibi—Baie-James—Nunavik said the word menteur or liar, as the hon. member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans says, he must now withdraw it.

I am therefore asking the hon. member to withdraw this word if he used it in the House.

Mr. Guy St-Julien: Mr. Speaker, I apologize for shouting the word menteur, because of the prevailing wind, at the leader of the Bloc Québécois.

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. member for Roberval has the floor on the same point of order.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I am sorry, but we are used to dealing with gentlemen and behaving like gentlemen here. Generally speaking, when we let certain terms slip out, we withdraw them. I very sincerely feel that the hon. member should not play with this. He confirmed having used this expression in reference to a number of members of this House. If he is a gentleman, he will rise and say “I withdraw the word”.

Mr. Guy St-Julien: Mr. Speaker, I withdraw the word liar.

The Speaker: I thank the hon. member for Abitibi—Baie-James—Nunavik. The hon. minister of public works.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, as regards oral question period, someone just said—although not specifically—that I may have made disparaging remarks about the hon. Bloc Québécois leader.

PAIRED

Members

Asselin
Byrne
Fournier
LeBlanc
McCormick
Pickard (Chatham—Kent Essex)
Regan
Tremblay
Volpe

Brien
Dalphond-Guiral
Graham
Marceau
Paquette
Plamondon
Torsney
Venne
Wappel— 18

• (1515)

The Speaker: I declare the motion lost.

I wish to inform the House that, because of the deferred recorded division, government orders will be extended by 11 minutes.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, during oral question period, two most unfortunate occurrences took place as a result of totally legitimate questions that were asked by the member for Laurier—Sainte-Marie, the leader of the Bloc Québécois. First of all,

Routine Proceedings

I unequivocally withdraw any remark that may have offended anyone in this House. I acknowledge this possibility and I apologize if I said things that I should not have said, considering the pressure that I have cope with.

The Speaker: I am sure that the House will accept the minister's explanation. Therefore, it is no longer necessary for the Speaker to investigate the matter to determine if the expression used was parliamentary or not.

As always, I appreciate the help of all hon. members. The hon. member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans may want to look into this himself, and perhaps may be of assistance to the Chair on this issue some other time.

ROUTINE PROCEEDINGS

[*English*]

ORDER IN COUNCIL APPOINTMENTS

Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments made recently by the Government of Canada.

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. David Price (Compton—Stanstead, Lib.): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the 14th report of the Canadian NATO Parliamentary Association which represented Canada at the meeting of the Secretaries of National Delegations and the Standing Committee of the NATO Parliamentary Assembly held in Granada, Spain from April 5 to April 7, 2002.

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[*Translation*]

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Mr. John Williams (St. Albert, Canadian Alliance): Mr. Speaker, I have the honour to present, in both official languages, the 20th report of the Standing Committee on Public Accounts on Chapter 10 on National Defence, entitled "In-Service Equipment", of the auditor general's report for December 2001; the 21st report of the Standing Committee on Public Accounts on Chapter 10 on Transport Canada, entitled "Airport Transfers: National Airports System", of the auditor general's report for October 2000; and the 22nd report of the Standing Committee on Public Accounts on Chapter 31 on Fisheries and Oceans, entitled "Fleet Management", of the auditor general's report for December 2000.

• (1525)

[*English*]

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to these three reports.

CRIMINAL CODE

Mr. Chuck Cadman (Surrey North, Canadian Alliance) moved for leave to introduce Bill C-464, an act to amend the Criminal Code (blood alcohol content).

He said: Mr. Speaker, first I would like to thank my colleague from Prince George—Bulkley Valley for seconding this private member's bill because I know the amount of work that he has done over the last number of years on this issue.

The bill is an act to amend the criminal code to include a new .05 blood alcohol content offence. Drinking and driving is the leading cause of criminal death in Canada. For years both the federal and provincial governments have been grappling with the issue trying to develop methods to combat this serious problem.

This private member's bill, if given the opportunity, will be a good tool for police to keep drunks off our roads. This legislation represents a fresh approach to making our roads a safer place to be. It would go a long way to preventing the serious crime of impaired operation of a motor vehicle.

I would ask the Minister of Justice to pay special attention to this legislation and perhaps consider adopting it. I would hate to see this innovative idea sit on the shelf waiting for the luck of the private members' draw when it could become the new law of the land and save lives.

Short of the Minister of Justice adopting the bill, I sincerely hope that my colleagues and I have the opportunity to debate and to vote on the bill to make it law.

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

* * *

[*Translation*]

PETITIONS

SOCIÉTÉ RADIO-CANADA

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, as heritage critic, I rise to present a petition in solidarity with Radio-Canada employees condemning the attitude of the management of Société Radio-Canada, which has kept its employees locked out for more than two months.

This petition has been signed by 30,000 people. We know that SRC employees are demanding pay equity for men and women, but also pay equity between the networks in Quebec and Moncton and those in the other provinces.

The Bloc Québécois wants a settlement today, and more importantly, we want a swift change in the mentality of human resource managers at Radio-Canada for the good of those who work there, to provide quality service.

[English]

SOFTWOOD LUMBER

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, my riding of Nanaimo—Alberni has been severely affected by the softwood lumber dispute which has languished now for more than a year since the tariffs went up. Thousands of mill workers are idle. Mills are idle and whole communities are getting desperate.

I have two petitions. One of them draws the attention of the House to this serious matter and calls for a ban on log exports to the United States while our mills are shut down. The other one calls on the government to take action to ban the export of logs to U.S. mills while our mills are shut down.

[Translation]

POST-SECONDARY EDUCATION

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I am happy to present a petition signed by more than 700 persons from my riding. This petition states that education is a right in Canada, and not a privilege. This is something that is fundamental in every society.

Accordingly, the petitioners ask parliament to increase funding for post-secondary education, to restore the role of government in administering the student loans and grants program and to ensure that this program reflects the reality of middle class families, in order to grant all students access to post-secondary education without becoming overburdened with debt.

RURAL ROUTE MAIL COURIERS

Mr. Robert Lancôt (Châteauguay, BQ): Mr. Speaker, I am pleased to present a petition regarding rural route mail couriers. These people often earn less than minimum wage, and their working conditions are completely outdated.

There is also the fact that they are deprived of the right to collective bargaining under paragraph 13(5) of the Canada Post Corporation Act. Therefore, the petitioners are asking that this provision be repealed.

• (1530)

[English]

FISHERIES

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, I have a petition which acknowledges that the federal Minister of Fisheries and Oceans has a constitutional obligation to protect wild fish and their habitat.

The petitioners note that the auditor general and others have pointed out that the minister is failing to meet that obligation. They call on parliament to require the Minister of Fisheries and Oceans to protect all wild fish and their habitat from the effects of fish farming.

[Translation]

SOCIÉTÉ RADIO-CANADA

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I have the honour to present some of the 30,000 signatures from petitioners from the Saguenay—Lac-Saint-Jean area who are Radio-

Routine Proceedings

Canada listeners and viewers and who believe that they have the right to a quality public radio and television service.

They find it unacceptable and shameful that Radio-Canada has the power to discriminate against women and people who do not have job security. This dispute has been going on for too long. There must be a quick, negotiated settlement that is respectful of those involved. The petitioners also wish to see a change of mentality at Radio-Canada following the negotiated settlement.

[English]

CHILD PORNOGRAPHY

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I am pleased to present a petition of about four pages on behalf of people who live in Strathmore and around the Calgary district.

The petitioners call upon parliament to protect our children by taking all necessary steps to ensure that all materials that promote or glorify pedophilia or any other activities that exploit and involve children are immediately outlawed.

Mr. Speaker, I know members are not supposed to do this, but boy do I agree with this one.

[Translation]

SOCIÉTÉ RADIO-CANADA

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, even though there is talk of an imminent settlement at Radio-Canada, 30,000 people support those who signed the petition that I am presenting here today to send a clear message to the management of Radio-Canada.

The petitioners find it unacceptable and shameful that Radio-Canada discriminates against women and people who do not have job security. Radio-Canada employees in the regions should not be paid less than those who work in large urban centres. The regions need a news service that is tailored to their needs. For that, Radio-Canada must offer decent conditions to its staff in the regions.

I hope that a solution to this dispute can be found as quickly as possible.

[English]

ABORIGINAL AFFAIRS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am proud to present a petition signed by thousands of first nations citizens from the province of Manitoba.

The petitioners reject the first nations governance initiative as proposed by the Minister of Indian Affairs and Northern Development. They feel it to be nothing more than a thinly veiled attempt to diminish or even to extinguish inherent treaty rights. They point out further that the minister's so-called consultation process has been an absolute sham. They urge all members of parliament to scrap the first nations governance agreement and to replace it with a mutually acceptable piece of legislation that actually addresses the many pressing and urgent issues facing first nations people in aboriginal communities.

*Government Orders***QUESTIONS ON THE ORDER PAPER**

Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Joe Jordan (Parliamentary Secretary to the Prime Minister, Lib.): Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

ASSISTED HUMAN REPRODUCTION ACT

The House resumed from May 21 consideration of the motion that Bill C-56, an act respecting assisted human reproduction, be read the second time and referred to a committee.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, I am pleased to enter the debate on Bill C-56. My colleague from Richmond—Arthabaska has spoken at length on the subject. It is certainly an important subject to debate in the House. It is a subject that is personal to most members of parliament.

Unfortunately, from the little bit of debate there has been so far, it appears that it is becoming a pro-choice, pro-life issue. Quite frankly, I do not think that is the issue at all.

Members of parliament need to take a long hard look at this. Some ethical, moral and religious questions need to be asked. Certainly there are a number of other questions as well. I think members of parliament would have to look long and hard to find it in their hearts to refuse to discuss some of the issues that are brought up by Bill C-56.

The purpose of the bill is to give Canada its first comprehensive and integrated legislation dealing with assisted reproduction. This legislation is long overdue. Back in 1993 the government started discussing legislation to deal with some type of integrated approach to assisted reproduction. Here it is 2002, almost 10 years later and a bill still has not passed through parliament.

It is unconscionable that with its majority the government would ignore its responsibility not only to Canadian women, but to Canadian men, to Canadians everywhere. This is the type of issue which the government has the responsibility and authority to deal with. The government has been irresponsible for 10 years in refusing to deal with this issue.

Now that the bill is finally here, I expect it to be dealt with in a serious manner, but not necessarily in an expeditious manner. The government wants to deal with the bill expeditiously. We have

waited 10 years for this piece of legislation and the government wants it through the House before the House rises in June. Somehow or another, now that the legislation has finally got to this point the government says it is absolutely essential that we give it a perfunctory debate and pass it along. That is totally unacceptable.

This is a very important issue to all Canadians. It is an important issue to the House. It is one that needs and warrants clear and thoughtful debate. It is an absolute requirement before we pass this piece of legislation on to the other place that all members of the House know what they are voting on and why they are voting on it.

The bill will proclaim the need to preserve and protect human individuality, diversity and integrity of the human genome. I think most parliamentarians would support that. Understanding that free and informed consent is a fundamental condition of human reproduction and assisted human reproduction, there should be nothing in the bill that members of parliament cannot deal with in a reasonable and sensible manner.

It has been proposed by other members and by our party's critic, the member for Richmond—Arthabaska, that the bill be divided. That is a timely piece of advice which the government should take a long hard look at.

The bill certainly could be divided to ban cloning. It must be understood that Canada has already signed an international agreement to ban cloning, yet we do not have the same legislation in our own parliament. We are a bit behind some of the international agreements we have already signed.

• (1535)

The proposal to divide the bill is a sound proposal. It would allow us to take the cloning component of the bill and have an individual bill on which most members of parliament could agree. I do not think there are many members of parliament who, in a serious way, could support the cloning of human beings. The stem cell part of the bill has moral, ethical and religious connotations. We cannot easily separate that from the bill but it may be necessary.

Research is very important in the bill and one of the goals of the legislation. It is research that may find treatments for not only infertility but other serious diseases that every Canadian family faces: Alzheimer's, Parkinson's and cancer. It is a known fact that some members who sit in the House are cancer survivors because of stem cell research. We have other members in the House who would take away the opportunity for people to prevent Alzheimer's, multiple sclerosis and cancer.

This is a serious legislation that warrants a long, hard, serious look. It is not without some difficulties and it is not without a great deal of bias that has been expressed already by individual members of parliament. I would ask individual members of parliament to put that bias away and look at the advantages offered here.

Government Orders

The bill needs some amendments and amendments should be brought forward. When we deal with issues like assisted human reproduction a number of questions need to be asked. For instance, in vitro embryos can only be used if deemed necessary for purposes of stem cell research. The product of assisted human reproduction, discarded embryos at a very early stage, could possibly be used for stem cell research but only if deemed absolutely necessary and not produced for that reason.

This is where we need guidelines. This is where we need to know exactly what the bill is giving us.

Scientists will still need to obtain a licence from the agency before embarking on any research project involving in vitro embryos. All research proposals will have to be peer reviewed and approved by the ethics review board before being submitted to the agency for consideration. It is obvious that research involving in vitro embryos will be conducted with strict regulations and in an ethical manner.

I for one would like to make sure that those regulations come back to parliament. We cannot give some group, even if it is a government regulated group, the authority to make regulations without bringing those regulations back to parliament for approval. We want people to trust the process, to buy into the advantages that are available and to understand that we now have science and technology available which can, and I believe should, assist men and women who are not able to have children to have them.

● (1540)

We do not want to involve ourselves in the religious argument. If we have the technology we have the moral and ethical responsibility to assist women to have children. We have a responsibility to say that the day is on the horizon when stem cell research will grow another kidney, will find a cure for Parkinson's and will deal with a broken spinal cord.

I do not think we in this place have the right to say that research should not be carried out. We have the right to regulate it and the right to say whether it can be carried out on embryos but we do not have the right to prevent it.

I will use an analogy. It is akin to many years ago in the 1500s when Galileo was looking at the stars. His acceptance of the Copernican system was rejected by the church. It did not stop it or prevent it. It was not reasonable. We no longer believe that the sun revolves around the earth. We know the lessons that science has taught us.

We have an opportunity here and I think it would be a grave mistake not to take this opportunity to help not only women and men in the country but to help people who are suffering and will suffer and to help those who are yet to be born who will suffer from disease.

This is not an opportunity to clone human beings. Let us strike that from the list. We have the opportunity to help future generations of human beings.

The bill would allow the governor in council to make regulations concerning consent for the use of human reproductive material or an in vitro embryo for research purposes. It is absolutely essential. We cannot leave this up to individuals to decide for themselves. We have

a responsibility to produce legislation with intelligent and informed debate, and I for one believe that can be done.

The creation of in vitro embryos and research on the embryo will be possible under regulation from the governor in council with a licence. That will be a problematic issue. Many of us will wrestle closely and dearly with that issue.

I do not think members have completely made their minds up yet. I certainly do not have my mind completely made up. However we do have the responsibility to deal with the issue, to wrestle it to the ground and to come up with something that I hope will help future generations of Canadians.

The bill would give the government a wide range of powers to regulate embryonic stem cell research. I think all of us would agree that regulations are needed. The fact that the bill would allow parliament to be pushed aside is an issue that I think is of great public concern.

It is absolutely essential that this vote, because of the moral, ethical and religious issues surrounding it, be allowed to stand on a free vote. The government has yet to say whether it will allow a free vote for its own members but this is the type of issue that must be a free vote.

While we debate this, Canada is lagging behind the rest of the world. Legislation already exists in the United States and in other countries around the world. We are on the cutting edge of new science and new technology and we are not up to speed with everyone else on the planet.

● (1545)

We have not dealt with the whole issue of the donors of sperm or ovum and it needs to be dealt with. Whatever our considered thoughts are on this, we have a responsibility to deal with it. In my humble opinion the donor should be known. We have learned that through the adoption process. There should be no debate or question on that. If people want to donate sperm or ovum, their names should be known. There is a greater responsibility, not just to the offspring but to their access to medical records.

There are dozens and dozens of issues here that we have an obligation to deal with. We should not think for a moment that donor anonymity is not problematic. It is problematic just in having enough sperm to carry out science because many people want to know the donor. They want to make informed decisions on their reproductive future.

A committee should review the regulations in Bill C-56 but they should not be reviewed by a committee that is in a hurry to get the legislation passed. It should be a committee that has the time, the opportunity and the scientific background and knowledge to make informed decisions. As it now stands the regulations have not been put forth to committee nor to the House. I believe as parliamentarians we must demand that this take place.

Government Orders

The bill can and I believe should be divided into two parts, the first dealing with infertility and reproduction issues, and the second to deal with research and development of stem cells and where those stem cells come from. We can no longer ignore this issue. It must be dealt with. I believe Canada can be a leader in adult stem cell research and can receive the benefits that may result from that.

In conclusion, the bill would add another layer of controversy to an already complex issue. It would put Canada in line with measures taken by other industrialized countries, including the United States, Australia and the United Kingdom. It is a fairly comprehensive approach but I do not believe it is comprehensive enough. We will draw upon the best practices of countries around the world.

However that does not mean our bill should be the same as that of the United States or Great Britain but it should be respective of Canadians and respective of how we want to deal with this complex issue.

As parliamentarians we have an obligation to deal with this issue. Stem cell research gives us the opportunity to do wonderful things. We can begin to close the door on many of the diseases that face Canadians of every age, whether it be Alzheimer's, cancer or multiple sclerosis to name just a few.

We have the opportunity of not having to look for a lung or a kidney. This is not star wars. We have the opportunity in the not too distant future of producing those organs from donor stem cells of the very adult or child who needs them. We cannot close the door on helping to reduce pain and suffering.

• (1550)

The bill should be divided into two parts. Let us do that to make it easier and more understandable. Let us be able to more judiciously deal with these complex issues.

• (1555)

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I listened closely to the member's speech. I must say I come away from it unclear about where exactly he stands on the central questions at play in the bill before the House, in particular, the question of embryonic stem cell research. Perhaps he could use this opportunity to clarify where precisely he does stand.

He seemed to suggest that to oppose embryonic stem cell experimentation is somehow analogous to a historical misreading of the scientific discoveries of people such as Copernicus. Copernicus, of course, was in no way persecuted. That has nothing whatsoever to do with the bill before us.

He further asserted that legislators have no moral right to permit research which may have efficacious results. No one in this debate, at any stage, from any perspective, has to the best of my knowledge suggested that we limit research per se but rather that we offer positive protection in law to human life. The purpose is not to preclude research but rather to protect human life.

Where does he stand on this? Does he support the idea that parliament should in fact protect human life and if so, at what stage? If he believes it is licit for us to authorize the creation, destruction and manipulation of embryos up to 14 days, then why not up to 28 days or 28 weeks? Why not up to birth? Why not beyond birth. If a

utilitarian argument can be made for the manipulation of human life for research purposes, why ought we then to draw the line at 14 days? Perhaps he could address some of those questions.

Mr. Gerald Keddy: Mr. Speaker, what we have here is a good example of the complexities of the bill and of how individual members of parliament will look at it differently.

I said earlier in my speech that it is dangerous and wrong to divide this along pro-life/pro-choice lines. I believe we can deal with aspects of the bill. We may not be able to deal with the bill but we still have a responsibility to try.

The comment about Copernicus and Galileo is still an apt comment. Copernicus was threatened to be burned at the stake if he continued to make his scientific observations. He recanted and refused his scientific observations and continued to make them in secret. Other astronomers of his age continued, even under pressure from the church or state, to make them in secret. The pressure did not prevent or stop them from looking. It did not close their eyes or their minds.

We cannot prevent this. We can control and regulate it and should use the powers of parliament to do that in a common sense and judicious manner.

I do not care to indulge in a debate of whether it should be 14 or 28 days because it does not have to be part of this debate. We can take discarded fertile cells that have been fertilized in vitro or use other processes and other ways to get stem cells without using embryos. Let us look at that possibility.

As for the sanctity and protection of human life, I do not believe that is part of this debate. This debate is about whether we will look at what I recommended earlier, dividing the bill into two parts. Should we look at stem cell research in one part and assisted human reproduction in another? The bill warrants being divided.

Certainly we cannot ignore it any more than people ignored the fact that the earth revolved around the sun and not the other way around. We cannot suppress knowledge. We can control knowledge and science to act in a moral and ethical manner but we cannot stop people or their minds from working.

We have the opportunity, if done in the right way, to find a cure for cancer. There are people who sit in this Chamber who are only here because of stem cell research. Are we saying that somehow we should make the decision as to whether they can be here or not? We had better ask ourselves that question. If we answer that we should make that decision, then I believe we have exceeded our powers as parliamentarians.

This is not about the power of life or death of discarded in vitro embryos or other ways to access stem cells such as through umbilical cord blood. This is about whether we will take a step that is controlled to find a cure for cancer, Alzheimer's, Parkinson's disease, multiple sclerosis or the ability to grow a kidney for our sons or daughters who may need it from their own stem cells.

Government Orders

•(1600)

We do not have the right as parliamentarians to say no to that process. We have the right to regulate the process so that it fits within our moral and ethical thoughts and jurisdictions. We do not have the right to say no to it.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, I listened to the hon. member's comments with regard to this important area and I agree that it is an issue that crosses ethical lines and we have to be concerned about that.

I would question whether my hon. colleague understands fully the difference between embryonic and adult stem cells. Adult stem cells include umbilical cord, amniotic fluid and stem cells can come from many parts of the body. It is important that our precious resources in Canada not be robbed from research in that area because of the different cures that he had mentioned, like Parkinson's and muscular sclerosis. We have seen actual cures come from those procedures in the last 60 days and yet embryonic stem cell research that has gone on for 20 years in animal studies has really produced very little.

If we are okay to go down that line then are we okay to patent and commodify the human body? Nothing is mentioned in this piece of legislation on patent law and yet the majority report suggests we should not patent human life. I would like some comments on that.

Mr. Gerald Keddy: Mr. Speaker, my quick answer, and he asked me personally, is that we should not be able to patent human life. The longer and more difficult answer goes back to the regulations and how the proposed bill might work. It really does not deal with that. Quite frankly it is probably a separate issue. Nonetheless it is a connected issue and one that is not dealt with. Again we see the complexity of the situation and this particular bill.

The whole patenting of human life forms brings in another issue and that is genes crossing species and producing human hybrids. That is not what anyone wants to do here and legislation can prevent that.

There are other places to find stem cells. The whole sanctity of the human genome would tell us that somehow it is fundamentally wrong to be able to patent human life forms. In order to promote this research, under clear and strict guidelines, perhaps the patent laws need to be changed to accommodate human life forms.

Should the ability arise in the future that we can actually produce a human kidney should that company have patent laws that allow it to do that for 20 years? I suspect not. Should it have some protection of its scientific material? I suspect yes. It is a difficult question. I do not think we have that answer but it needs to be dealt with.

•(1605)

Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance): Mr. Speaker, I will be splitting my time with the hon. member for Regina—Lumsden—Lake Centre.

I am pleased to rise to speak to Bill C-56, the assisted human reproduction act which is before the House. It is an incredibly important and long overdue piece of legislation. The bill is in response to emerging technologies with incredible potential which have grown at an incredibly fast pace. There is no question that we as legislators are far behind the technology of today.

Bill C-56 would do a number of things. The big part of the debate revolves around stem cell research. There is no question that stem cell research is creating new opportunities to find cures for and eliminate such horrible diseases as Alzheimer's, Parkinson's, MS and many forms of cancer. There is a lot of hope for a lot of people on the horizon.

However no one in this place would deny that we must move extremely cautiously. The area is complex, extremely technical and full of significant ethical questions that must be looked at. At the same time, we cannot turn our backs on an incredibly important research tool for finding cures for diseases that bring terrible hardship and destroy thousands of Canadian families every year. The scientific advancements also have the power to assist couples otherwise unable to have children. The importance of the research underscores the failure of the government to act sooner.

The royal commission on new reproductive technologies reported to the House in 1993, almost 10 years ago. Other countries are far ahead of us in terms of legislation. Legislation was passed by Britain in 1990, by the U.S. in 1992, by France in 1994 and by Japan in 2000. The delay in Canada has left uncertainty hanging over families seeking reproductive assistance and other victims of terrible diseases awaiting important cures.

There are a number of negatives in Bill C-56 and a number of positives. I will focus on some of the concerns we have in the Canadian Alliance. The greatest weakness of Bill C-56 is that parliament would be unable to scrutinize the issue as it evolved. Science and technology is moving at an incredible pace. Parliament is way behind.

Bill C-56 proposes to create yet another regulatory agency, the assisted human reproduction agency. It is critically important to ensure that any new regulations come before parliament. Parliament must have the power to scrutinize and watch over the process. We should not give the powers to an unelected, unaccountable and, some would argue, uncontrollable regulatory authority. We must ensure all future regulations are scrutinized by the House, subject to an open debate and published in the *Canada Gazette*.

The legislation should not allow the minister to make regulations without the scrutiny of the House, especially on a topic of such importance that has such strong ethical considerations. Bill C-56 would do this. We should not shy away from the debate because it is incredibly important.

We should allow children conceived by in vitro fertilization to know the identity of their parents under the same conditions that currently exist for adoption. This would be a relatively simple addition to the bill. I believe it would be supported by all parties.

Government Orders

•(1610)

I will not dwell only on the negatives of Bill C-56. There are some strong positives in the bill which are long overdue. Everyone I speak to has serious concerns about human cloning. Bill C-56 would ban human cloning. That is absolutely essential. It would also ban cross breeding between various mammals and animal species. That is very important.

We must remind ourselves that having the scientific ability to do something does not necessarily make it the right thing to do. That is where some of the concerns are coming up. Yes, for couples unable to have children and in need of vitro fertilization it is a welcome scientific advancement. We want to ensure that having children is a joy and that couples who are struggling can have families. However there are other areas we must look at that are positive as well.

One is the whole area of stem cell research. There is quite an ethical debate going on here about embryonic stem cells versus adult stem cells or stem cells from the umbilical cord. My understanding is that as far as embryonic stem cells are concerned, under Bill C-56 only unused stem cells created by in vitro fertilization would be allowed to be used. They would be used only for research and with the permission of the donors. Wherever possible adult stem cells would be used instead of embryonic stem cells.

On the face of it that sounds fairly reasonable. However I must admit I have not made up my mind. I am struggling with all the dynamics of the debate. I am listening to the members. I want more information from the scientists. Are we going down a road we should not be? I do not know. This is a new field of study. It holds the key to hope for cures to some terrible diseases. We need to proceed incredibly cautiously. What is the next step beyond this and beyond that?

We all agree that human cloning is not appropriate. I have made that point. It is important that we are having a healthy discussion and debate on the issue. It is not about pro-life or pro-choice, but there is no question that there are concerns. Good points have been raised in the debate on all sides. We need to have a strong look at all the arguments. I for one hope to talk with my constituents over the summer and get their input.

At the same time we do not want to delay passage of the bill because it would do many other important things. As I said, I have not completely made up my mind. I want to speak with some of the scientists. I want more information. If there is one concern it is about the regulatory agency and the power it would have to create new regulations without the scrutiny of parliament. It is a serious concern. Who knows where this would go?

•(1615)

Again, I am pleased to stand and represent my constituents by speaking to the matter. I look forward to consultations with them over the months ahead. I hope we can come up with amendments to the bill to address some of the issues because there is no question that legislation is long overdue in this area.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, I thank the hon. member for his comments. He reflects the concerns of most Canadians when they look at the issue.

The stem cell issue is so new that people do not know enough about it. They want to know more. They cannot understand the difference between umbilical cord stem cells, stem cells from fat and muscle, adult stem cells, embryonic stem cells and what they all entail. It is complex and difficult to understand. Part of Bill C-56 deals with this. The other part deals with reproduction. The bill has a reproduction side and a science side.

With respect to the bill's science side, if we look forward into the 21st century one of the most important parts of Bill C-56 is the regulatory regime that would license controlled activities in the area. Could my hon. colleague comment on the regulatory body and how important it is that it garner the trust of Canadians? He has been a member of the House for quite some time and understands the importance of the issue.

Mr. Gary Lunn: Mr. Speaker, there is no question that the regulatory agency is the single greatest weakness in the bill.

Science is evolving at such an incredibly rapid pace that we cannot give up our responsibility and pass it off to an unaccountable and unelected body. It is up to us to follow the progress of science, stay not too far behind it because I do not know if we can stay in front of it, and regulate it. That is the biggest concern with the bill. We do not have regulations now. We need to deal with the matter. We need to have an open and frank debate. I hope the government will agree to amend the legislation so we do not pass off our responsibilities. That would be wrong.

With respect to stem cells, I do not see this as a pro-life issue. However there are concerns we must look at. We cannot deny the advancements of science if we can find cures for such horrible diseases as Parkinson's and Alzheimer's. However at the same time we need to get all the information. A lot of members have made eloquent arguments that the cures could come from stem cells taken from umbilical cords and other sources. However would that deny potential cures for cancer and other diseases? These are questions we need to take a serious and hard look at. We need to get all the facts on the table.

People have raised the concern that if we take the first step, what will the next one be? Do we allow cloning? Do we allow the commercial growing of human parts or organs? There are serious ethical questions we must absolutely look at.

I hope the government will allow a free vote on the issue so members can follow what they believe are the wishes of their constituents. The government should listen to the debate carefully in the House. More importantly, it should be open to amendments so we can bring about the needed legislation which is lacking. This should not become a party debate. The government should listen to members from all parties and put forward amendments so we can arrive at a consensus that is good for all Canadians.

Government Orders

•(1620)

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, it is an honour to have the opportunity today to speak to this issue. This debate goes right to the heart of an extremely important matter. It is extremely important I believe in my riding, in my province, in our country and indeed around the world because we are debating the issue regarding the most fundamental principle of all and that is the principle of human life.

I want to address some of the questions with which we are forced to grapple. I will not try to answer those questions but I do want to mention them because sometimes even the mention of a question brings something to light that we have not thought of before.

The first question is what exactly is human life? When does it begin? When does it end? Do we have the right to decide to end it for our own personal gain? Can we create human life to destroy it for a so-called greater good? Is the intentional destruction of human life ever justified? Can we decide which human embryos live and which ones die? Is it ethical to destroy a human embryo at one stage but not at another? Is a human embryo outside the womb worth more than one inside the womb? Who has the right to decide when an embryo is actual human life? Are the rights of women over their embryos greater than the rights of scientists over embryonic specimens? Can one be paid to create a human life and at the same time be paid for ending it?

Those are some of the questions. I will not attempt to answer them but I will acknowledge that many refrain from thinking about, let alone answering, these fundamental questions because of the fear of the logical outcome of their thought process; principally that the union of a sperm and an egg is the genesis of all human life.

If a fertilized human egg is not a human life then what is it? Would we call it a potential for life? Scientists will tell us that a cell's ability to duplicate itself indicates that it is living. A human cell capacity to reproduce itself demonstrates that it is alive. If it is alive and reproducing, then what is it reproducing? Is it not human life? Of course it is. It could not be any other kind of life. Life produced by a human must indeed be human life.

When we think back to those very rudimentary things, we understand what we are talking about; the sacrifice of human life. What then is the status of an embryo created by the union of human sperm and a human egg? It must be human life even in a Petri dish. At the risk of being politically incorrect, which I suppose I have already blown, I must say that it is a human life.

A man and a woman who furnish the necessary ingredients for reproduction can only create that which is human. It is impossible for them to create anything else from their own bodies. Can a scientist then create anything but a human life through the union of a man's sperm and a woman's ovum in a Petri dish? I think not.

There was a recent headline in the *Post* which read "Does a fetus have rights, or doesn't it?" I might ask the question: if it does have rights, then when? If it does not have rights, then when and why?

It is interesting to note that our neighbour to the south, the United States, has recently been challenged by George Bush, the president, to ensure that the unborn child receives protection by granting it the right to health care in the prenatal stages.

Secretary Thompson said:

Prenatal services can be a vital, life-long determinant of health, and we should do everything we can to make this care available for all pregnant women.

I would like to take this opportunity to congratulate the Bush administration on that bold measure in the advancement of prenatal health care. I would like to ask our health minister whether she would consider such a thing for Canada.

•(1625)

The government has previously identified fetal alcohol syndrome, among other things, as being a real problem in our country and for that I want to commend it. However, how can the government justify taking steps to help prevent FAS in the country without acknowledging that it is doing so because the unborn child in a mother's womb is a human life worth preserving and keeping healthy? Or is it doing it simply as a possible cost saving measure for health care in later years? I would hope it is doing it for the value of the human life involved.

This leads to another fundamental question that faces us today. Is intentionally ending a human life justified by saving another? No one can deny that some of the most heroic acts of bravery and human courage have come from someone's willingness to die in order to save another's life. Arguably the most famous person in the history of the world once said "There is no greater love than to give one's life for his friend." However the giving of one's life to save another is only heroic and an act of love when it is done voluntarily. How can the taking of human life be justified when it is done without the express consent of the one whose life is being taken, especially when there are alternatives?

As many witnesses testified during the hearings of the health committee, the prospect of adult stem cell research is equally promising without the ethical and moral implications of embryonic stem cell research.

Professor Gordon Giesbrecht of the University of Manitoba stated:

Destructive embryonic research is not necessary on practical grounds. Adult stem cells can now be extracted from post-natal tissue, such as the placenta and blood from the umbilical cord, as well as from living humans and even cadavers. In contrast to earlier beliefs, these post-natal cells have a biomedical potential as great as, or even greater than, embryonic stem cells. Advances in this area are proceeding at a rapid pace.

Claims for embryonic stem cell advantages over adult stem cells are unsubstantiated. There are no current clinical treatments based on embryonic stem cells, and there are in fact very few published successes using animal models of disease.

Government Orders

I encourage the government to adopt some of the recommendations that we brought forth as a party. First, that the recognition of the human embryo as “human life” be in the final legislation. Second, that resolution of conflicts between “ethical acceptability” and “scientific possibility” be settled in favour of the ethical course. Third, that there should be a three year prohibition of embryonic stem cell research to be revisited in three years, therefore giving a strong endorsement of adult stem cell research. Fourth, that there be the paramountcy of the rights of children to know their heritage.

In wrapping up I will mention again perhaps in simpler words why I do not support this bill at this point.

The first reason is the bill encourages embryonic stem cell research while at the same time thereby discouraging adult stem cell research. The very fact that this is given so much prominence will in fact promote its implementation.

The second reason is that in doing that, the bill would also encourage the proliferation of the production of excess embryos created through assisted human reproduction technologies and shuffled off for research purposes. If we left that gate closed for a little while and emphasized the research on adult stem cells, we would be much further ahead.

The third reason is it does not grant the right to children to know who their parents are. It takes some good half steps but I cannot support it fully in its present form.

• (1630)

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, I want to thank my hon. colleague for sharing his feelings on this very important landmark bill before the House on reproductive technology.

Does my colleague have any kind of light to shed upon a certain part of this whole debate? My understanding is that the members of the health committee met and heard from many expert witnesses who gave testimony on whole area. They heard from a number of scientists who indeed said that the development of adult stem cell research was moving along at a fairly fast pace and that the results coming from this superceded that which was coming from maybe 20 years of embryonic stem cell research. They said that when people used their own adult stem cells as opposed to embryonic stem cells, particularly in terms of organs, the rejection factor was practically nil. They also said there was a cost for anti-rejection drugs when embryonic stem cells were used.

The committee then came back with an almost unanimous report that indicated that there should be some kind of moratorium on embryonic stem cell research at this point so that we could really see the good results of the adult stem cell research.

If that was the case, why then was there this huge shift, between the time when the report was written and the legislation was tabled on the part of the government, to move away from that recommendation of the committee? I do not know if the hon. member has any elucidation on that subject?

Mr. Larry Spencer: Mr. Speaker, I am not sure why that would be, but I can understand why the government would be in such a hurry to implement embryonic research. I believe seriously that there is a fear that adult stem cell research will progress so rapidly that the

need for embryonic research will be nil. I think the potential in all that I have read is that the adult stem cell research would be much more valuable.

I think people have been led to believe that adult cells were too limited in availability. I think we have been hoodwinked into believing that we have to go with the embryonic stem cell research to have stem cells available, but science is proving this is not true. According to what I have read, embryonic stem cells are more elastic than adult stem cells. In other words, they are not as predictable as to what we can do with them. They even have a tendency to go out of control and do things that they were not intended to do. That has not been found to be true of adult stem cells.

• (1635)

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I understand that the member for Regina—Lumsden—Lake Centre has a disagreement with one particular portion of the bill. To what conclusion does that lead him? At the moment there is no legislated control on stem cell research, embryonic or otherwise, no legislated control on the commercialization of women's wombs, no legislated control on human cloning and no legislated control on the sale of eggs or sperm.

Would he allow one portion of the bill to lead him to where he would vote against any legislation to put controls on all those very serious ethical and scientific matters rather than have a bill with one flaw that he does not like? If that were the end result, we would have no legislation on anything to do with human reproduction.

Mr. Larry Spencer: Mr. Speaker, in that case, then, the government member should consider very seriously what they do at committee to implement a few good amendments in order to alleviate some of these different problems. As I have said, there are some good half steps, but the half that is left out is a bad one.

[*Translation*]

The Deputy Speaker: Before resuming debate, it is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Davenport, Trade; the hon. member for Palliser, Automobile Industry; the hon. member for Dewdney—Alouette, Fisheries and Oceans.

[*English*]

I now caution members that we will proceed to debate, so there will be 10 minute speeches without questions and comments.

Ms. Judy Sgro (York West, Lib.): Mr. Speaker, it is with great pleasure, if those are appropriate words to use, that I rise today to add some comments to the debate on Bill C-56. As a member of the health committee, I sat through for some time a variety of deputations that came before us and talked about the importance of finally getting some legislation.

I would remind the House how many years it has been since we have been trying to deal with getting some sort of legislation in place in the area of human reproduction. It is an enormously sensitive issue. This is a piece of legislation in which I think we are trying to find the balance that respects the needs of many people in Canada, both those seeking to find cures for diseases as well as people dealing with the issues of needing to build their families and so on.

Government Orders

The legislation on assisted reproduction that we have before us would play a very important role in protecting and promoting the health and safety of all Canadians while ensuring that the promising related research is conducted in an ethical and appropriate manner. Currently we do not have legislation and we have little control over what is really going on.

The legislation has three primary objectives: to help Canadians using AHR procedures to build a family without compromising their health and safety; to prohibit practices, such as cloning, that Canadians clearly find very unacceptable; and to ensure that AHR related research which could help find treatments for infertility and serious diseases takes place within a regulated environment.

Bill C-56 is a comprehensive and integrated approach to some difficult challenges facing Canadians and society as a whole. It would also put Canada in line with other major industrialized nations that have also moved to ban or restrict certain practices they find morally intolerable. Is Bill C-56 perfect? Clearly not. It will go back to committee. We will have opportunities to review the bill again, to refine the legislation and to make it even better than what we currently have.

Canada has sought for some time to find the right way to deal with these issues and the related science and technology. The royal commission on new reproductive technologies, for instance, spent four years holding Canada-wide hearings and reflecting on the complex issues involved.

The commission tabled a detailed, two volume report in 1993. Many of its recommendations are now being brought to life in the legislation before the House. For example, the concept of statutory prohibitions on certain unacceptable practices, in conjunction with a regulatory framework to govern acceptable practices, stems from the royal commission's work.

Since that time there have been many other developments, including a voluntary moratorium on human cloning and similarly unacceptable activities, but consultations with Canadians have made it very clear that this was not enough. Not only was there was a desire for prohibiting activities, there was also a desire for a comprehensive approach that could deal with a broad range of other issues.

Last year the former Minister of Health took on that challenge of drafting legislation that would respect the range of strongly held views about AHR and related issues, especially in the area of research using embryos, an area that is extremely sensitive for all of us. He took the unprecedented step of first submitting a draft of the legislation to the House of Commons Standing Committee on Health in order to give Canadians, through their elected representatives, a chance to see it, think about it and comment on it. The eight or nine months that many of us sat on that committee and listened to those deputations gave us an real eye opener and an education on the complexities of the issues, and we all struggled to find the right balance to protect Canadians.

The committee heard from dozens of witnesses and came up with a thoughtful and well researched report. As a result of the committee's input, the draft legislation was further refined and improved. I was pleased with the legislation that came back because

it respected the feelings of our committee. There are areas that are still under discussion which will be further refined when the bill goes back to the health committee. Hopefully those of us who have been on the committee until now will still be on it and we will have a chance to do some further work on it.

● (1640)

Bill C-56 in its present form does capture the spirit and the intent of many of the recommendations made to the Government of Canada by the health committee on ways to deal with the issues raised by assisted human reproduction. In particular, certain activities and practices would not be allowed in Canada. They include any type of human cloning to produce a genetically identical replica of another person or the creation of a human embryo for purposes other than that of reproduction. It would be prohibited to engage in practices that would increase or ensure the likelihood of having a child of a particular gender unless it is for medical reasons.

It would be prohibited to pay a woman for more than the costs of reasonable expenses to carry a child to term for someone else. It would be prohibited to buy or trade in reproductive materials like eggs, sperm or human embryos. It would be prohibited to change the DNA of an embryo in a way such that the change could be passed on to future generations. It would also be prohibited to mix the genetic material of animals and humans for reproductive purposes.

Most Canadians agree that such practices are clearly unethical and unacceptable. They have no redeeming social merit and should be banned. The feelings of all of us who sat on the committee were conclusive in regard to these issues and we are pleased that the government ensured that these prohibitions are in the legislation.

There are other practices that are not specifically prohibited and would be permitted, but not under any terms. They would require a licence from the agency. They would be subject to strict regulations aimed at ensuring the health and safety of Canadians as well as the ethical conduct of AHR treatments and related research. This recommendation clearly tries to recognize the benefits of science and the changes that are happening in new technology while still trying to protect the public from some of the issues that we feel are threatening.

For example, all facilities engaged in AHR related activities, such as in vitro fertilization clinics, would have to be licensed under Bill C-56. The regulations would govern issues such as limiting the number of children who could be conceived using one donor's sperm. It would also be required that patients give their informed consent for all treatments and decisions, such as what to do with embryos that are surplus to their needs.

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Under the regulations, scientists who wish to conduct research involving human embryos would have to obtain a licence as well as permission for their proposed projects from a recognized ethics board. In order to obtain the authorization for this work, they would have to demonstrate clearly to the agency that the use of an embryo is necessary for the purpose of the proposed research. They could only use embryos that were created for, and surplus to, fertility treatments. They also would have to secure the informed consent of the donors.

The scientific exploration that holds great promise of benefiting society would be permitted under strict regulations. For example, research could help to give us a better understanding of the problems of human infertility. Research could also help in investigating cures for serious degenerative ailments such as Alzheimer's disease and Parkinson's disease as well as cancer and spinal cord injuries.

Two weeks ago, many of us had a visit from people suffering from ALS. Clearly when one talks to these people one learns that they have great hopes that through some of this research a cure will finally be found for some of these terrible diseases that devastate families and take life away from many. This type of research requires stem cells, though, and they may be found in embryonic tissues as well as other sources.

The legislation supersedes guidelines on stem cell research recently announced by the Canadian Institutes of Health Research, the Government of Canada's principal funding source. The new legislation would go further because it would also cover scientists who receive no federal funds.

Bill C-56 is finally getting into the House, hopefully before we adjourn for final reading, to bring in legislation clearly meant to protect Canadians as well as ensure that the research community has specific guidelines to ensure the protection of Canadians and to help us in our research to find the cure for many diseases.

• (1645)

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I approach the debate on Bill C-56 with great concern on several levels. First, the bill concerns me deeply as a parliamentarian in that once again the government is seeking to take crucial matters, truly matters of life and death, out of the purview of the House by handing them over to secretive cabinet regulation and an unelected, unaccountable, government-appointed committee of reputed experts. This has serious implications for our democracy. The bill should be opposed on these grounds alone.

However, I have deeper concerns about the bill, not simply as a member of parliament but as a human being. The bill goes to the heart of what it means to be a human in a technological age and I am afraid that in several areas it makes grave, perhaps irreparable, mistakes.

First let me address the continued subversion of the role of parliament implicit in the bill. It leaves some of the most sensitive questions regarding surrogacy and the use of embryonic stem cells in the hands of the new assisted human reproduction agency of Canada. The agency would not report to parliament but only to the minister. The minister's power of delegation to the agency would be considerable. Clause 32 allows the minister to delegate any agency decision to individual members of the agency. One person, therefore,

could be called upon to make a grave moral choice on behalf of all Canadians. Clause 25 allows the minister to give the agency policy directives at any time, which it must implement and which would be kept secret. This committee is being charged with dealing with some of the most important ethical challenges imaginable.

I do not believe that matters of great moral import like this should simply be left to self-interested experts to decide. Yes, experts may have great technical expertise, but their intense involvement with issues in many cases makes them blind to the common moral sense of society. For instance, a great many scientists and researchers are demanding already that the bill should be broadened to allow for therapeutic cloning, but clearly the vast majority of Canadians oppose this practice. The bill reflects their sentiment and the advice of the Standing Committee on Health by prohibiting therapeutic cloning. However, I am concerned that the minister has said in remarks that this ban may be "temporary" and that she is essentially waiting for public opinion to "catch up" with the research community.

I do not believe that Canadians' moral sense about this issue is simply due to ignorance. It is based on well founded and legitimate fears that therapeutic cloning may well lead a company or a research lab to abuse this technology in an unethical way and proceed with reproductive cloning. There are already reports of an Italian scientist who is attempting reproductive cloning. A new age cult with a large following in Quebec claims to be pursuing the same thing. This research would also further undermine respect for human life by turning human beings into something that simply could be copied and reproduced. Any sense of the sanctity or inherent dignity of human life is likely to be lost if a single embryo can be copied thousands of times.

Ordinary common sense Canadians can see the dark moral forest that we would enter if we take the path of therapeutic cloning, but too often experts whose professional interests and livelihoods depend on pursuing the latest technology cannot see the forest for the individual trees of their own research field. Can we really afford to hive off questions as sensitive as this to self-interested experts or should they be guided by the will of Canadians as expressed in parliament?

Let me come to a specific example, perhaps the most dangerous step taken in this bill: the authorization of embryonic stem cell research.

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Many people say they have been wrestling with their consciences over this issue during the debate. It is my observation that when one is wrestling with one's conscience, one's conscience usually loses. Conscience is a moral guide that instinctively tells us right from wrong. If our conscience tells us that destroying nascent human life is unethical and we start to wrestle with that moral intuition, then what that really means is that we are surrounding the clear witness of conscience with a smokescreen of rationalizations and relativizations. If our consciences are telling us that this manipulation and destruction of life is wrong, then I submit that as legislators we ought not to be wrestling with conscience but listening to it and acting in accordance with it.

A human embryo is a living human being. This is not an assertion of opinion but an uncontroversial, *prima facie*, scientific fact. Human life is a continuum and that continuum begins at the moment when the ovum is fertilized by the spermatozoa. At that point, a unique, unrepeatable human existence begins. All our capacities and abilities, our hair colour, our height, perhaps even our intellectual aptitudes and our personalities, are to a large extent determined by that unique genetic code that has just been created. If left in its natural state, that single-celled entity will become a baby.

The question we must ask ourselves is, what dignity and what worth does that unrepeatable human life have? I suggest that it has an intrinsic dignity and worth that we cannot deny.

• (1650)

Many religions teach that from the moment of conception the physical embryo coexists with the spiritual soul. Personally, I believe that to be true. Even if we were not to believe in the intrinsic sanctity of human life surely we could all respect the dignity of human life. All human life shares a common ancestry and potential. That is an insight available to people with or without religious faith.

If we were to undermine the dignity of the human embryo in the lab, we would surely undermine the dignity of all human life, the severely handicapped, the sick, the elderly, and those who some cultures and political ideologies have taught to be racially inferior. If these living human beings do not have intrinsic dignity and worth, at least in the eyes of some, then what is to prevent them from being used simply as objects for research?

We all know the infamous Dr. Josef Mengele and the hideous experiments he performed on Jewish prisoners at Auschwitz. This is perhaps an extreme but it is an extreme that can be reached when we move down the path of treating human beings as objects and not as persons.

I do not believe that there can be any justification for using living human beings for experimentation, no matter how worthy the purported objective.

I, and my colleagues in the Canadian Alliance, believe there is a great potential in adult stem cell research. Stem cells can be derived from the skin, umbilical cord or elsewhere in the body of grown humans. There are no ethical dilemmas in this research any more than there is an ethical dilemma in cutting our hair or trimming our nails.

Increasingly, scientists believe they can produce adult stem cells with the same flexibility and potentiality that they previously

believed only embryonic stem cells could provide with an added therapeutic bonus. If we receive stem cells derived from our own tissue it would have the same DNA and thus no risk of tissue rejection while there is a high risk of rejection for stem cell therapies using stem cells derived from another genetically different human being such as an embryo.

Our party has called for a three year moratorium on embryonic stem cell research to allow adult stem cell research to prove its enormous potential. I stand by this call as a good first step. I believe in principle that even if adult stem cell research did not have the promise of embryonic stem cells, it would still be unethical to manipulate and destroy human embryos for utilitarian purposes.

The Liberal majority on the health committee did not call for an absolute ban or even a moratorium but did propose that a high threshold be met. The majority report said that the use of human embryos should not be allowed in research

—unless the applicant clearly demonstrates that no other category of biological material could be used...

Subclause 40(2) of the bill significantly lowers the bar and says that embryonic stem cell research can proceed

—if the Agency is satisfied that the use is necessary for the purpose of the proposed research.

The applicant no longer has to prove that no other category of biological material could be used but simply that human embryos are necessary for this particular project. As I have said, any use of human embryos, which are unique, living human beings, is ethically wrong *prima facie* whether or not embryos are truly necessary for particular research or therapeutic purposes.

The strongest pragmatic objective of this approach is that surely we should allow embryos to be used for something, otherwise, in the eloquent words of the minister “they will be thrown in the garbage”. Let me give three arguments against this.

First, if there are a significant number of embryos left over in in vitro fertilization clinics, then the real question is not what to do with the extra embryos but why so many unnecessary embryos are being created in the first place. At a minimum, IVF clinics under this legislation should be restricted to producing the least possible number of embryos necessary to result in successful conception. Research to allow IVF clinics to reduce the number of embryos that have to be created for successful implantation should be vigorously promoted and clinics that seem to be producing too many embryos should be sanctioned by the agency.

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Second, the minister's position is that the only embryos being used are leftover embryos that would otherwise be destroyed. It is a red herring. On the one hand, improving technology will eventually reduce and we hope eliminate the supply of so-called extra IVF embryos. On the other hand, the government is creating a demand in the research community and the biotech industry for embryonic stem cells in the bill. If the supply of IVF embryos were choked off, these industries would be back in a few years demanding that the government allow new embryos to be created or cloned solely for research.

• (1655)

I submit to the attention of the House the growing field of embryonic adoption. At the U.S. senate hearings on this issue last year, a senator said that the embryos were not human beings, they were simply the size of a dot. There were people at that committee hearing with babies, fully created babies whom they had adopted at the embryonic stage and who had grown into children. They were adopted embryos now living as human beings. This is a human way of meeting one of the purported objectives of the bill, to assist infertile couples.

We need to make a fundamental choice. The bill would open the door to the use of human life as simply raw material to making objects and commodities out of life itself. In the book of Deuteronomy Moses presented to the people of Israel the Torah, or law, that God had given him. He said:

—I have set before you life and death, blessing and curse: therefore choose life, that both thou and thy seed may live.

Today 3,000 years later after Sinai we still face the same fundamental moral choice. I hope that we will choose life, that both ourselves and our descendants may live.

Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance): Mr. Speaker, I welcome the opportunity to address these issues and am pleased that we are addressing them here in the House of Parliament where indeed matters such as these should be addressed in a way that is open and public so our constituents can be aware of how we are approaching these issues.

Most fundamental for parliamentarians in this discussion is to contemplate the responsibility of law making itself and to understand that for centuries there has been a recognition that there is in the universe a natural law that pre-exists government, in fact that pre-exists human legislation. People down through the centuries have written of this regardless of their religious persuasion and whether they had a particular religious persuasion or not. In Greek society Sophocles wrote:

Nor did I deem that thou, a mortal man,
Could'st by a breath annul and override
The immutable unwritten laws of Heaven.

He is suggesting something we believe to be true, that there are certain natural laws that exist in the universe that even pre-exist legislators and government. In Roman society Cicero said that even if the ruler is the people they still may do only what is just according to natural law. That is law that pre-exists human legislation. A Spanish scholar of the 16th century, said that every being has a right to his own life and to physical and mental integrity. John Locke said

that certain rights are there prior to the existence of government and people form a government to protect those rights.

As we enter this debate we need to ask ourselves if we as a government on this particular bill are talking about what our mandate should be, which is protecting certain natural rights that pre-exist legislation. John Locke also said that a government is not free to do as it pleases. The law of nature stands as an eternal rule to all, legislators as well as others, and it is the role of government to protect the lives and the liberties of the people.

All of this thinking and discussion for centuries predates but then becomes instrumental and integral in the developing of constitutions around the world. The declaration of independence talks about the law of nature and nature's God. It talks about certain truths being self evident and to secure and protect these rights governments are instituted. Therefore, as a government we should be talking and always considering the protection of rights, the most basic of which is the right to life itself.

Our own constitution in its preamble, without imposing any particular religious or denominational label on any group or individual, also recognizes this age old precept and talks about recognizing the supremacy of God. This is in the preamble, so that is to overshadow all legislation and give meaning to it. These thoughts are rightly embedded in the very development of legislation in our own nation. Whether we accept it or not, the very principles of natural law existed before government and they are based on the law of nature and nature's God.

Our present government and democratic system is based on these realities. The people of Canada have not given us a mandate to overrule these most basic of principles. I have travelled the country from coast to coast and I have not heard a rising voice of the people telling us to overrule the laws of nature and nature's God and the most basic principles of government and why we are here in the first place. That is not to say we cannot freely debate these things. Indeed we should, we are and that is healthy and it is the way it should be.

• (1700)

Not only should we debate these things freely, but I would hope when it comes time to vote on these things that government members will vote freely and not have their vote imposed upon them by a government dictate or a government whip. These most basic of principles are too important for people to be dictated to in terms of how they vote on them.

The reason I cannot support the bill is that we are talking about introducing something which in terms of development of society and democracy itself is fairly new and radical. We are talking about using the democratic process to contravene a respect for natural law, the laws of nature itself. My constituents have not given me the mandate to do so. This is a fairly new concept in terms of how we as legislators could possibly deliberate the appropriateness of intervening to end life and make a decision to do that.

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We can debate the extent or the quality of life but there is something that is not debatable in terms of science or medicine. It is that human biological life begins its development stage in the embryonic stage of life itself. That is where life begins. We can argue and debate on the quality of life or how cognitive that being is or how appropriate it is that that being continue to live, but it is not a debatable fact. It is a settled fact medically and biologically that life does begin at conception. We are talking about removing the most basic of natural rights, the right to life itself especially in terms of development, from a being who is unprotected. It is our right to protect that being.

The unfortunate part of the discussion circulates around the fact that it is unnecessary to pursue the whole approach of embryonic stem cell research when adult stem cell research already offers so much hope. It has already proven to be successful in the treatment of many conditions and diseases. Embryonic stem cell research has been proven to be faulty at best and lacking in the same potential that adult stem cell research offers.

Some of my colleagues have cited experiments with human embryos and some of the early embryonic research in terms of stem cell research. We have looked at what adult stem cells have been able to do. Adult stem cells are defined as those that exist after a child has been born; one does not necessarily have to be an adult to have adult stem cells. Adult stem cells are being used to treat Parkinson's, multiple sclerosis and spinal injuries. They have been used in ways that have not yet been successful in terms of embryonic stem cell research. There is much literature on this.

Why are we forcing on people the terrible dilemma of choosing a treatment that has possibly been given to them based on a being's life being taken? Why are we forcing people into that corner when we do not have to?

Researchers have found that in many cases great developments have taken place through adult stem cell research. That is why I join many of my colleagues in asking that this particular approach in terms of embryonic research be suspended.

I have quoted from what I believe to be luminaries down through time in terms of the discussion of natural law and life itself. I will now quote the ethicist Maureen McTeer whose words I agree with when she said "In terms of research on embryos, you want to talk slippery slope, that was the argument used in Nazi Germany; these are only Jews. Now we are saying these are only embryos". That was her argument and I understand that.

Why on the basis of everything we know is there this appearance of—and I am not saying this in a pejorative sense—an unnatural haste to develop an unnatural law which in physical and sociological terms would lead to an unnatural result? We should continue to choose life and those processes that we know can bring life and enhance life.

• (1705)

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, on behalf of the constituents of Surrey Central I am pleased to participate in the debate on Bill C-56, an act respecting assisted human reproduction. This is a very important topic within all our constituencies as it affects directly the daily lives of the people we serve.

The opposition has been calling for legislation since 1993 when the Royal Commission on New Reproductive Technologies reported. The minister of health at the time introduced a voluntary moratorium on some technologies in July 1995. The government introduced a bill on June 14, 1996 prohibiting 13 uses of assisted reproductive and genetic technologies but the bill died on the order paper because of the 1997 election.

Draft legislation was submitted to the Standing Committee on Health on May 3, 2001 for consideration. The committee presented its report "Building Families" in December of that year.

In March 2002 the Canadian Institutes of Health Research, followed by Genome Canada, pre-empted parliament by publishing rules to approve funding for experiments on human embryos and aborted fetuses. Funding was put off for one year following opposition protest.

Here we are in 2002 debating a bill that would bring into effect the very strong recommendations of a commission that reported in 1993. Why did the Liberal government put these recommendations off for such an extended period of time?

In those nine long years science, research and technology have been rapidly progressing. As well, commercial investment in these procedures has moved on but the government has remained stagnant. The weak, incompetent and arrogant Liberal government should be embarrassed that it has not dealt with this important issue much more quickly and expeditiously.

I have gone through the bill and would like to share some of my observations.

The bill would allow for experiments on human embryos under four conditions. All embryos must be byproducts of the AHR, assisted human reproduction process, and not created solely for research. Written permission must be given by the donor, although donor is singular. Research on a human embryo is only if the use is necessary, but the word necessary is undefined. All human embryos must be destroyed after 14 days, if not frozen of course.

The purpose of research on human embryos is not specified in the bill. The purpose must be restricted to creating medical therapies that would assist in healing the human body.

The future of humanity is at stake in this debate. The Canadian Alliance members and I firmly believe that all human beings possess the fundamental human rights to life, to freedom and to own and to enjoy property. Human embryos are early human lives which deserve respect and protection. The Canadian Alliance will strive to protect the dignity and value of human life.

The bill is about access by prospective parents to the best assisted reproductive technologies that science can ethically offer. The Canadian Alliance will work to preserve it. I strongly support and encourage health sciences research and development.

Government Orders

I strongly support research on adult stem cells. Stem cells derived from embryos and implanted in a recipient are foreign tissues and thus are subject to immune rejection, possibly requiring the use of costly anti-rejection drug therapies. Adult stem cells are easily accessible and are not subject to tissue rejection and pose minimal ethical concerns.

• (1710)

Adult stem cells are now being used to treat Parkinson's, multiple sclerosis and spinal injuries while research using human embryos has not yet led to healing therapies. We should focus our energies and scarce resources on research that is making a difference now.

We are calling for a three year moratorium on experiments on human embryos until the potential for adult stem cells can be fully developed and explored. This debate is not the same as the pro-life, pro-choice abortion debate because embryos can exist outside a woman's body. This bill addresses the use of embryos in a Petri dish outside the woman's body. Her choice of how to use her body does not directly apply in this case.

The opposition wants to close dangerous loopholes in the bill. One of them creates human-animal hybrids where a human egg and an animal sperm, or vice versa, are combined. We support a ban on commercial surrogacy.

There are so many issues which I would like to touch on. Since time is limited I will touch on only some, beginning with subclause 25(3) of the bill. None of the minister's policy directions fall under the Statutory Instruments Act. They escape the scrutiny of regulations as well as being published in the *Canada Gazette*. All can be done in secret. This subclause should be struck from the bill.

Subclause 66(2) states that regulations laid before parliament may be sent to a standing committee. The words "may be" should be changed to "must", not that they may be but that they must be sent to the standing committee. Which standing committee? It should name the Standing Committee on Health and make health committee scrutiny a requirement of the law. The standing committee report recommended this but the government ignored that recommendation.

Subclause 66(3) states that a regulation should not be made until the standing committee has reported on it. This would eliminate the 60 calendar day cap placed on scrutiny of regulations. I am mentioning the scrutiny of regulations because I sit on that committee as co-chair representing the House. I know that the government sometimes presents vague, incomplete legislation in the House which is followed by a big stack of regulations which are not debated in the House. The government is not governing but ruling through the back door by throwing in a bunch of regulations which sometimes do not receive the scrutiny of experts and parliamentarians.

Accountability is very important. The performance of the agency according to subclause 30(d) will be evaluated by the agency itself. It should not be. It should be evaluated by the auditor general.

Subclause 40(2) states that embryos can be harvested if the agency satisfies itself that it is necessary for the purpose of the proposed research. The discretionary power of the agency to decide what is necessary must be reduced by defining in the clause what constitutes that necessity. A modification of the phrase from the majority

standing committee report "unless the applicant clearly demonstrates that no other category of biological material could be used for healing therapies" would be appropriate.

In conclusion I want to clarify that I support provisions against human or therapeutic cloning, animal-human hybrids, sex selection, germ line alteration, buying or selling embryos, and paid surrogacy.

The bill is about improving human health. The Canadian Alliance strongly supports the research to this end when it is compatible with the dignity and value of human life. The Canadian Alliance will strive to protect the dignity and value of human life.

The bill is about the best interests of children born of assisted reproductive technologies. The Canadian Alliance will work to protect them.

• (1715)

Finally, the bill is about access by prospective parents to the best assisted reproductive technology that science can ethically offer. The Canadian Alliance will work to preserve it. We cannot support the bill until it is amended.

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, I am very pleased to be able to speak to Bill C-56 because it is important and yet sensitive legislation.

The new legislation on assisted human reproduction would bring enormous benefits to Canadian society. The most important thing to remember is that currently we have a void: we have no legislation, no guidelines and no rules.

I remember arriving here as a new MP in 1993 and receiving the voluminous report done by the royal commission on new reproductive technologies. Nearly a decade has gone by and it is time, not to avoid the issue but to tackle it head on and be sensitive to the voices around the discussion.

I believe the legislation would give infertile couples safe access to build their families, and they are entitled to families. We know that approximately one in eight couples suffer from infertility and have no guided safe method. The legislation is important because it could improve this situation.

Bill C-56 holds out great hope for people suffering from devastating illnesses and injuries because it would permit the conduct of promising medical research under very strictly regulated conditions. The strict regulation is very important.

Those conditions speak to the ethics of research. They will ensure that scientific exploration is pursued in a way that furthers the best interests of society but not at a cost we as Canadians consider too dear.

Government Orders

This is the hallmark of an advanced culture; to offer people legitimate hope for better lives for themselves and their families without compromising the ethical rules by which our society has chosen to live.

Bill C-56 is the result of extensive consultations with Canadians. While it is clear that there are disagreements about many aspects of the AHR and the complex issues it raises, there are surprisingly vast areas in the country where we have consensus. Much of that consensus is captured in the statutory declaration which signals the intent of the legislation, which we find at the beginning of the act itself.

Because the issues involved in, and raised by, assisted human reproduction pose so many ethical problems, the declaration sets out some guiding principles.

In particular, it states that AHR and related research must be governed by principles and practices that respect human individuality, dignity, diversity and integrity. These are important principles because we recognize that this is not ordinary legislation like the tax legislation or trade legislation. Instead, it is an attempt by our society to deal with issues that go to the very heart of who we are and what we believe in as human beings.

With the bill we are hammering a stake in the ground and saying that this is where Canadians will draw the line. On one side are those things that we will not tolerate and on the other side are the things we will accept under clearly defined circumstances.

Let us start with what we will not tolerate. We will not tolerate the creation of life for reasons other than building a family. Equally repugnant is the notion of cloning a human being only to create a carbon copy of another individual or modifying an embryo so that it meets our personal image of perfection.

Similarly, our society sees no redeeming value in putting a price tag on life. We do not believe that the sperm, the eggs, the embryos or the process of pregnancy should be up for purchase. That is why these and other activities would be outlawed under Bill C-56.

The legislation contains a number of clear cut prohibitions in areas where Canadians say we have no right to tread.

On the other hand, society does have a legitimate interest in other areas. For instance, we have a profound stake in ensuring that couples who need to turn to AHR technologies to build a family have access to safe and ethical services. This is important because it affords them a chance to escape the disappointment of unwanted childlessness.

It is also important to all Canadians. With reports showing that maybe one in eight couples face infertility, this could grow into a very serious problem. That those services need to be safe and delivered in an appropriate and ethical manner is equally critical.

Some 6,000 cycles of in vitro fertilization treatments are offered each year and that is just one AHR activity among many. Canadians have an interest in ensuring that women are not subjected to practices that would endanger their health or even their lives.

●(1720)

For all those reasons, Bill C-56 would regulate the safe and ethical conduct of AHR technologies.

Another area where society has a profound interest is in AHR related research that holds the promise of bettering the human condition. However we believe this work cannot proceed in the absence of rules that establish the kinds of projects that we would find appropriate and how they should be conducted.

For instance, a substantial amount of vital work is being done in the area of infertility. Just as we support the access of infertile couples to safe AHR procedures, we must also support research that could uncover the causes of this unfortunate condition and improve existing treatments.

Similarly, there is great potential in scientific investigation involving stem cells. Stem cells from embryos have great potential. We probably do not know the full potential because there is not sufficient knowledge at this early stage to be conclusive. However we believe there is great potential because stem cells have not yet developed into the specialized heart, brain, muscle or other type of cell that they will eventually become.

Researchers are trying to harness this unique property to encourage stem cells to grow into the cells needed to repair specific types of tissue damaged by disease. Human, fetal or embryonic tissue is considered the best source of these precious cells.

In London, where I live, researchers with the stem cell transplantation and regenerative therapeutics project are studying whether stem cells can serve as sources for cellular or organ replacement in tissue damaged by trauma or genetic influences and for disease intervention. Basic research is now approaching clinical possibility and practicality. More knowledge is needed regarding fundamental signalling pathways and gene expression patterns responsible for stem cell control and transplantation.

I wonder how many of the MPs in this Chamber who have spoken to the bill have taken the time to talk to these very specialized scientists.

Last fall, when I knew the bill was coming forward, I spent about four hours in one of the research and teaching hospitals in my riding meeting with some of the very specialized, credible, serious scientists in this area. We met with some of the hospital administrators and all the involved people, not just from one hospital but from all the teaching hospitals in my city. We did a three hour briefing. I learned a lot. I learned that not just anybody could get a line of stem cells and keep it living. It costs an enormous amount of money just to keep a stem cell line under very specialized conditions. If I remember correctly it costs about \$10,000 a week just to do this, so it is not something that will take place anywhere under open conditions.

Government Orders

I am proud of the researchers and of the ethics they bring to their work. They believe in their work and they are sensitive to the concerns of Canadians. This work will focus on possible treatments for people suffering from muscular dystrophy, Alzheimer's disease, diabetes, tissue damage resulting from chemotherapy and spinal cord injury. Hopefully we will be hearing from some of these people over the discussion.

We all recognize that this type of research must be conducted with the highest standards of ethical care. Therefore, Bill C-56 sets out a comprehensive set of regulations to govern the proper conduct of research involving embryos. Only embryos, for instance, created for fertility treatments but not needed for that purpose can be used for this type of work. Scientists could not create embryos merely for the sake of science. They would have to be donated with informed consent. Related regulations would deal with the appropriate use, handling, storage and disposal of embryos and other reproductive tissues.

The assisted reproductive agency of Canada, a regulatory body to oversee the implementation of the legislation and the regulations, would be an important body. Consensus goes back to as far as 1993 to have this independent body. It is a consistent recommendation and I am glad to see it in the body of the legislation.

I would like to go into this in more depth but I see my time is up. I appreciate the time I have had today in the House to make my points.

• (1725)

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, I am pleased to have the opportunity to speak to this subject this afternoon.

The bill is the Liberal government's attempt at legislation to prohibit, through the criminal code, certain assisted human reproduction practices and to authorize the regulation of other practices under licence. It also creates an agency to operate a licensing regime to monitor activity and keep records.

The official opposition will not be supporting the bill unless the government allows a number of amendments.

We have been calling for legislation in this field since 1993 when the royal commission on new reproductive technologies reported. In July 1995, Ottawa introduced a voluntary moratorium on some technologies. The government introduced a bill on June 14, 1996, prohibiting 13 uses of assisted reproductive and genetic technologies but the bill died on the order paper at the 1997 election.

Draft legislation was thereafter submitted to the Standing Committee on Health on May 3, 2001, for consideration. The committee presented its report, called "Assisted Human Reproduction: Building Families", in December of last year.

In March 2002, the Canadian Institutes of Health Research, followed by Genome Canada, pre-empted parliament by publishing rules to approve funding for experiments on human embryos and aborted fetuses. This was put off for one year following protests from the official opposition.

The general social policy theme of the Canadian Alliance Party stresses that all human beings possess the fundamental human rights of life, freedom and the right to own and enjoy property.

My colleagues and I will work to underline for the Liberals that human embryos are early human lives that deserve and must be treated with respect and protection.

The bill's preamble does not provide an acknowledgment of human dignity or respect for human life, even though it is stated later in the bill as the principle objective of the agency it creates.

The minority report submitted by the Canadian Alliance to the December 2001 report from the committee recommended:

That the final legislation clearly recognize the human embryo as human life and that the Statutory Declaration include the phrase "respect for human life."

We strongly support and encourage health sciences research and development. We strongly support research on adult stem cells.

We are mindful to respect the constitutional role of the provinces in health care delivery and would ensure that the federal government works with them in a co-operative and constructive manner.

The bill appears to respect provincial jurisdiction by allowing provinces to opt out if they provide an equivalent enforcement regime and by allowing them a representative observer on the board. However we want to be sure the Liberal government across the way respects the provinces.

The bill would provide a more tightly regulated assisted human reproduction regime. This would make it safer and more effective for prospective parents. Health information about donors would be kept for future children.

However there are a number of problems with the bill as well. For example, under the bill, children born of assisted human reproduction technology would not have the right to know the identities of their parents. The government needs to pay attention to the fact that embryos, if not destroyed, naturally become normal children and adults. Another problem is that the government needs to go further than the bill does to ensure that expenses paid to surrogate mothers do not result in effective commercial surrogacy.

In terms of addressing the more contentious issues of the bill, we believe, as many Canadians do, that it is important to define what a necessary use is for this research. We support the creation of an agency, such as the one proposed under the bill, to regulate the sector but we are concerned about the agency's decisions concerning what necessary research is.

• (1730)

We support stem cell research. We are calling for more funding for adult stem cell research.

Government Orders

I would like to take some issue with the comments of the member for London West who quoted a number of scientists and researchers from one particular point of view. I draw to the attention of the House that doctors, scientists and researchers can be quoted to represent almost any point of view on this subject, including those who advocate strictly research on adult stem cells.

I want to take this opportunity to give the Liberals fair warning that they should tread very carefully in legislating this technology. Adult stem cells hold a great deal of promise. It may not be desirable nor necessary to engage in embryonic stem cell research to the great extent advocated by some.

Canada is a leader in the world when it comes to biopharmaceuticals. In Montreal bioscientists report that adult neural stem cells taken from a patient's own central nervous system have been successfully used to treat Parkinson's disease.

In the United States patients undergoing liposuction may want to bank the fat removed from their tummy, backsides and thighs because the excess fat contains stem cells. These fat cells can be stored for years. These stem cells can be isolated from liposuction specimens. They can be grown to bone, cartilage, tendons and other connective tissue. Patients can use them in the future, transforming them into a number of specialized cells, depending upon the patient's needs. If a patient were injured in a car accident, stored stem cells could be used to make bone tissue to repair the damage.

Using adult stem cells collected from a patient's body and stored eliminates the risk of rejection when later reintroduced into that same patient's body. Significantly, it also avoids the ethical issues in using stem cells derived from embryos.

For example, there are more studies to be done. This research is far from complete. It needs to be proved that the transformation of a cell to another type of cell is irreversible. We do not want some chain reaction going from a cell to something that is not even anticipated.

The Liberal government should be taking these and other unknown items into consideration before opening the floodgates on embryonic stem cell research.

This is one reason why the Canadian Alliance is calling for a three year moratorium on experiments on human embryos, until the potential of adult stem cells can be more fully developed. This coincides with the three year review mandated in the bill.

We want free votes in the House at all stages. We want each and every MP to search his or her own conscience, to search the conscience of his constituents and where prudent to pause until we know more about stem cell research. It may be the more reasonable course of action, instead of premature embryonic stem cell research to do it this way.

Developments in adult stem cell research and technology is progressing at an astounding rate with new discoveries frequently being announced. The government and the agency it is creating to deal with these questions should err on the side of caution, instead of charging ahead with decisions that will be very difficult to backtrack on later. As I have said, many members will be detailing aspects of the bill that need to be changed.

I want to close with one thought. At the time of conception when the zygote is formed by the coming together of an egg and a sperm cell, all the DNA that will ever govern that individual's growth is already there and will mark that person throughout the whole lifetime. Using scientific terms from that first moment, we are talking about a person.

It is never a good idea to confuse scientific, legal and religious principles. I do not intend to do that. Science has shown when humanity begins. The law has defined how precious is human life and I see the religious principles which govern my life as confirming these previous two.

• (1735)

My Lord and saviour Jesus Christ at one point while referring to the children said that it would be better for anyone to never have been born than to harm even one of these little children. That was at a time when human life was very precious and when children could be slaughtered at a king's whim.

Let us never go back to harming our children.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, the government must ensure that the risks in the bill and the benefits of any treatment for women are fully disclosed and that the moneys needed to achieve these objectives are made available. This for us is the litmus test of the legislation.

The most effective way to ensure that women's health comes first is to ensure that the precautionary principle is entrenched in any bill dealing with assisted reproductive technology.

We recommended that the precautionary principle be explicitly set out in the legislation and in its final report the health committee agreed with that recommendation. However the precautionary principle is nowhere to be found among the governing provisions of the bill. The precautionary principle, which puts safety first, can impede the rush for profits that all too often accompany new scientific developments.

Therefore the choice not to include this principle reflects the government's affection we believe for an industry that has benefited tremendously from being able to establish itself in assisted reproductive technology unencumbered by regulation during these many years without an act.

The government's fondness for and impartiality to big business has also opened the door far too widely for an unacceptable level of commercialization in the area of assisted reproductive technologies. We see this in the issue of patenting life forms.

There was a consensus on the health committee that we should stop commercialization in this area, that the government should prohibit the patenting of human genetic material, but there was not a word about this from the health minister. I am delighted to see her in the House for this important legislation. When she introduced Bill C-56 there was no mention of any move on patent protection. The health committee called on the government to prohibit this but the government chose to ignore this important advice putting its emphasis instead on corporate property rights.

Private Members' Business

●(1740)

The Acting Speaker (Mr. Bélair): The hon. member will have eight minutes remaining in his speech when the bill is next debated.

[*Translation*]

It being 5.41 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

Mr. Deepak Obhrai (Calgary East, Canadian Alliance) moved that Bill C-386, an act to amend the Criminal Code (breaking and entering), be read the second time and referred to a committee.

He said: Mr. Speaker, normally when I stand I say that it is with pleasure I speak on behalf of the constituents of Calgary East. However I am speaking on this bill for the second time. In the last parliament I introduced the same bill in response to concerns raised by my constituents and Canadians from across the nation. I will indicate later which Canadians have sent their support for the bill.

As I said, this bill was introduced in the last parliament and, as is now becoming a practice of the House, it seems to be headed for oblivion. With the introduction of private members' bills, we are supposed to debate and talk about the concerns and desires of Canadians. This process has become a mockery.

The last time the bill was in front of a committee, it was not made votable despite the fact that there was a strong desire by Canadians to have the merits and demerits of it discussed. The committee was chaired by a government member and also half the membership was from that same side.

The members of parliament should stand, debate and vote on these bills. Five people sitting behind the scenes, behind closed doors, should not be making that decision, a decision that is based absolutely on partisan likes and has nothing to do with the desires of Canadians.

No wonder time after time people talk about the erosion of democracy and of the power of members of parliament. The government is causing that. Yet amazingly when that government was on this side, it spoke the same language that I speak today. As soon as it came into power, what did it do? Nothing. As a matter of fact members of parliament keep losing their powers. Their ability to discuss issues raised by Canadians has been restricted day by day.

Canadians want this bill. I have had town hall meetings in my riding. I have support from members of the police force. I have a letter from the Saskatoon police chief who endorses the bill. I have a letter from the Toronto police chief who endorses the bill. I have a letter from the Sudbury police chief who supports the bill. I have a letter from an ordinary citizen who supports the bill.

People in law enforcement agencies, the people in the forefront fighting crime and making the streets safe, see the merits of this bill. Yet five people sitting behind closed doors, behind the scenes, do not

find any merit in allowing 301 democratically elected members of parliament to discuss the bill and make the decision.

I am standing here today debating the bill but it is actually a waste of my time. What am I going to say? It will not go anywhere. As soon as the hour is over this whole thing will become a piece of garbage. The amount of time and effort that members of parliament have put into this will have gone down the tube.

The Liberals should realize that because they have sat on this side and have had that experience. Yet when it came time for them to be over there, that was it. They are preventing democracy.

I know people want this bill to be debated so I brought it back in this session. Lo and behold, what happened? The same thing. Five people sat behind the scenes and made the decision that it not be votable. That is why a member of the government has raised the issue of reforming private members' business.

The government's own members, its own backbenchers know that private members' bills deserve more respect and debate in this House than the government is willing to give them. They know the system is flawed. Otherwise we would not have had a report presented to us about a week ago by a member of the government which said that private members' bills should be debated in the House.

●(1745)

We should vote in the House. We should be allowed to exercise the democratic will of Canadians who have elected us to the House, not the will of 30 people in government who would manipulate the whole system and not allow a debate to take place.

Since I have been given time to address Bill C-386 I will tell the House what it is all about. It is about a minimum sentence of two years for repeat break and enter offenders who go through the cycle of committing the crime again and again because they find it profitable. We need to break the cycle. We can only do so if we institute a two year minimum sentence so offenders can get rehabilitation, get off the street and not find it profitable to break into people's homes.

About a week ago the new Minister of Justice publicly stated that he personally opposed minimum sentences. He said he did not like the American system of minimum sentences. As soon as I heard him say that I knew the government would do anything to make sure Bill C-386 would not pass, because that is his personal view. It was not debated in the House.

What do we do? We sit here and listen. Canadians are being forced to take the view of one individual, the Minister of Justice, who said publicly that he did not agree. It was not discussed in the House of Commons. It was not discussed by members of parliament who were elected by Canadians. Bill C-386 will go nowhere because it is the personal view of the Minister of Justice that he does not like minimum sentences.

Private Members' Business

We should talk to Canadians, victims, and people whose homes have been broken into. All of them will recognize the importance of the bill. There is nothing harsh in it. All it is demanding is a simple two year minimum sentence for repeat break and enter offenders to break the cycle of profitability for criminals who break into people's homes.

Some 50% of all break and enters are committed with weapons. This could lead to crimes such as home invasion which are more dangerous than break and enter. The onus is on us to discuss the merits and demerits of the bill and ensure our streets are safe. If our streets were safe, why would police from Toronto, Sudbury, Calgary and across the country be supporting the bill? It is because they need the tools to fight this crime, tools they have not received from the Liberal government.

The soft approach the government has taken is making a mockery of our streets. I therefore felt it was necessary to bring in Bill C-386 to be debated. However we will hear the usual thing from the parliamentary secretary. He will try to justify the current system and say it is adequate. It is not. If it was we would not have the support of the police chief.

Mr. Speaker, I am glad you are enjoying my speech because I am passionate about the issue. However it bothers me to see the way the government is killing the debate.

Constable Guy Baker of District 4 in Calgary said the best sentence he had ever seen for a repeat offender was three years. However the effects on the victim last forever. Females feel personally violated. Their houses no longer have a sense of being home. Men feel they have failed in their role of family protector. Children have a hard time sleeping because of bad dreams. This is the impact of break and enter and home invasion.

• (1750)

While the psychological impacts of break and enter are devastating in their own right, it can also be a violent crime. Every break and enter is a potential home invasion. Some 58% of break and enter incidents involve a weapon. I will quote an Edmonton man who was viciously beaten in a break and enter that turned into a home invasion. He said:

Physically I am okay. Mentally I am not. It's almost like I have to force myself to do things—even to go to work. I don't know what could be enough jail time. There is no justification for what they did.

On a personal note, I had a break and enter in my home in Calgary about a year and a half ago. I was here attending to the business of parliament and my daughter was living in Calgary and going to university. She was away by only half an hour. If she had been in the house all by herself I do not know what the consequences would have been. Would it have turned into a home invasion? It scared my daughter so much. She was only 21 years old.

We tend to take break and enter lightly. It is not a light crime. Its psychological impacts and potential dangers are strong. As parliamentarians we need to do something. Police chiefs and law enforcement agencies are asking us to do something. What have we seen from the government? It says our current laws are adequate. They are not. The parliamentary secretary may stand today and read

statistics from StatsCan to say there has been a lowering of crime. However that is nonsense.

As I said, this crime has an impact. Some 80% of break and enters are not first time crimes. They are repeat crimes because it has become profitable. If it has become profitable to go into this business why should the offenders work? If they get caught and go to court it is no big deal. They are out on the street within three months. This is the cycle. Why should they worry about serving three months for such a profitable business? Why would they want to go out and work? This is why Canadians are demanding a minimum sentence. It is why I introduced Bill C-386.

I have made my speech. It was a passionate speech. However my bill will go into the garbage because the government has made it non-votable. A non-votable private member's bill is a waste of time. I stood and spoke. I do not know if my speech had an impact. However I am feeling pretty discouraged as a member of parliament tonight.

• (1755)

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased to speak to Bill C-386 introduced by the hon. member for Calgary East, an act to amend the criminal code dealing with breaking and entering. Last May an identical bill, Bill C-290, was debated at second reading and dropped from the order paper.

As was stated when the former bill was debated, the safety and security of Canadians in their own homes continues to be a key priority for the Government of Canada. The government has responded to concerns about home invasions through amendments to Bill C-15A, the criminal law amendment act, 2001 which is currently awaiting royal assent. The amendments to the criminal code indicate that where an offender's conduct is in the nature of a home invasion the court must consider it an aggravating factor when determining the sentence to be imposed.

Bill C-386 would amend paragraph 348(1)(d) of the criminal code of Canada by providing for maximum penalties:

(i) in the case of a first offence, to imprisonment for life, or

(ii) in the case of a second or subsequent offence, to imprisonment for life or to a minimum term of imprisonment of not less than two years—

Section 348 of the criminal code currently makes it an offence to enter a place with intent to commit an indictable offence, to actually commit an indictable offence, or to have broken out of a place after having committed or intending to commit an indictable offence. The current maximum penalty for committing any of these acts in a dwelling place is life imprisonment. The offence of robbery also carries a maximum penalty of life imprisonment.

I suspect most Canadians would be surprised that these offences attract such a severe maximum penalty. Surveys conducted by the Canadian Sentencing Commission in the mid-1980s showed that the public had little knowledge of either the maximum or minimum penalties and many people were surprised by the severity of the existing maxima.

Private Members' Business

The current maximum penalties for breaking and entering and robbery demonstrate that the government recognizes the conduct is of a serious nature which may have significant impacts on its victims. I might add that I know how it feels to have been a victim of a break and enter since I experienced it in my own home.

The sanctity of an individual's home as a place of safety free from intrusion has been recognized in common law for hundreds of years. It is in part for this reason that the criminal code offences of robbery and break and enter of a dwelling house are both subject to a maximum sentence of life imprisonment. Section 718 of the criminal code provides that:

The fundamental purpose of sentencing is to contribute...to respect for the law and the maintenance of a just, peaceful and safe society—

The objectives of sentencing set out in the criminal code include denouncing unlawful conduct, deterring the offender and others from committing offences, and promoting a sense of responsibility in offenders and an acknowledgment of the harm done to victims and the community.

The government shares the concerns of Canadians with regard to the relatively new phenomenon of home invasion robberies; that is, robberies that occur when the home is occupied. Courts across Canada have been imposing stiff sentences for this type of crime that address the sentencing objectives of denunciation and deterrence and highlight the importance of individuals being able to feel safe and secure in their own homes. The government's amendments to Bill C-15A signal that home invasions constitute serious conduct that should be met with significant penalties.

● (1800)

In addition to providing a maximum penalty of life imprisonment, which the criminal code already does for breaking and entering in a dwelling house for robbery, Bill C-386 would provide that a mandatory minimum term of imprisonment of two years be imposed in the case of a second or subsequent offence.

Canada has historically utilized mandatory minimum penalties with restraint and has allowed courts the discretion to fashion a sentence that is proportionate to the gravity of the offence and the conduct of the offender. It is also interesting to see that other countries are questioning the use of mandatory minimum penalties. The legislature in Australia's Northern Territory recently repealed its mandatory minimum sentences. Courts of appeal in the United States have recently struck down some of California's mandatory minimum penalties as being cruel and unusual punishment.

Judges who have the benefit of being able to consider all the facts and evidence regarding the circumstances of the offence and the offender are well placed to determine the appropriate sentence in an individual case. Those circumstances must be weighed in light of the principles of sentencing. There is no clearly demonstrated need to create a minimum penalty for a second or subsequent conviction for breaking and entering a dwelling house given the high maximum penalty already in the code and the sentencing patterns for this offence.

It is also important to note that courts take into account as an aggravating factor in sentencing the fact that the offender has a previous conviction for the same or a related offence. In fact, the

existence of a criminal record is the greatest predictor of a longer sentence length.

With respect to home invasion, the creation of an aggravating sentencing provision in Bill C-15A would encourage judges to use those tough penalties already available which, as noted, many courts have been doing throughout Canada in recognition of the seriousness of the offence and its devastating impact upon its victims.

While I recognize the concerns of the hon. member for Calgary East with respect to the offence of breaking and entering, I do believe that the existing penalty of life imprisonment for this offence and the amendments found in Bill C-15A clearly demonstrate our commitment to providing safe homes for all Canadians.

[*Translation*]

Mr. Robert Laucôt (Châteauguay, BQ): Mr. Speaker, I thank you for giving me the opportunity to rise in the House and speak to Bill C-386, An Act to amend the Criminal Code (breaking and entering).

The bill is concise, but it will have a significant and disproportionate impact. How can one ask that the criminal code be amended to include a life sentence for a first offence? This is contrary to existing sentencing standards.

What are the criteria for determining an appropriate sentence? First, the purpose of the sentence should be to protect society. Second, the sentence should also help the accused to reform. Finally, the sentence must be fair to the victim as well as to the accused.

The sentence should be analysed to determine how it will help maintain justice and the peace and be commensurate with the offence. To achieve that, an offender must be able to associate the severity of the sentence with the objectives of denunciation and deterrence, while seeing in it an opportunity for rehabilitation. The victim must see in it an assurance of redress and the knowledge that the accused will admit the harm he has caused.

The Bloc Québécois is opposed to Bill C-386 because it departs dramatically from the criteria mentioned earlier. By its wording, Bill C-386 sets out to impose a life sentence for a first offence. This is completely at odds with current sentencing standards.

These standards, it must be remembered, remain subject to the principle of proportion. This is the most important principle. There must be a direct and equitable correlation between the seriousness of the offence and the extent of responsibility of the accused.

In other words, a jail sentence must be avoided if there are other less stringent means of redress. Let us remember that the judge must examine all the facts and circumstances. These may be interpreted as aggravating or mitigating.

Based on these standards and on the guiding principle, judges can thus establish a sentence in accordance with clear sentencing guidelines. This bill ignores the experience and knowledge of judges, who are able to evaluate the facts of a particular case and the appropriate measures to take to meet the objectives of denunciation, deterrence and redress.

Private Members' Business

There are other methods of retribution available to judges, including fines, restitution, and suspended sentences. These are alternative methods to imprisonment that must be considered before imposing a sentence that is not proportional to the offence committed.

The purpose of penalties is to hold the accused accountable and promote their reintegration into the community, while at the same time taking into account the degree of severity of the offence. I fail to see how these objectives are furthered by the wording found in Bill C-386.

According to judges and stakeholders, penalties that are proportional to the severity of the crime help with accountability, because offenders can grasp the impact of their actions and the harm they have caused. This is why we must be careful when sentencing for a first offence.

I mentioned that the judge must take into consideration several factors in sentencing.

Sentencing guidelines protect the community on the one hand and punish wrongful conduct so as to deter potential offenders, with the goal of reintegrating the offender.

On the other hand, the judge must take into consideration the type of offence and its severity. The criminal code normally sets out a maximum sentence for every offence. For some offences, the criminal code sets out minimum sentences, as is the case for impaired driving.

●(1805)

In addition, the judge takes into account all the circumstances of the offence, the manner in which it was committed, whether there was premeditation, whether force or a weapon was used, and whether other people were involved.

The judge also considers the accused's criminal record and repeat offences. Not to be forgotten are the accused's attitude to what he has done, whether he shows remorse.

Once these guidelines have been considered, the judge may then decide on an appropriate sentence. He may consider rehabilitation. The accused will then have an opportunity to become aware of the impact of his actions and will be required to participate in a community rehabilitation program. A fine could be imposed. Finally, the judge could consider jail as a deterrent.

On many occasions, the Supreme Court of Canada has reiterated the objectives underlying sentencing. It did so in *R. v. Proulx* [2000] 1 S.C.R. 61.

Chief Justice Antonio Lamer went over the criminal code principles in order to make the point that a sentence must be proportional to an offence.

The chief justice stated that the punishment must fit the crime, taking into account the aggravating or attenuating circumstances surrounding the offence. He also stated that, under section 718.2 of the criminal code, the presiding judge must also seek to harmonize sentencing for similar offences or offences committed under similar circumstances.

In addition, subsection 718.2 *d*) stipulates that the judge is obliged to examine the possibility of less restrictive sanctions when circumstances justify this, rather than depriving an offender of liberty. Yet in Bill C-386, the complete opposite is being called for.

In the Supreme Court of Canada judgment in *R. v. Smith* [1987] 1 S.C.R. 1045, what was involved was assessing the proportionality of a sentence and whether the minimum sentence can constitute cruel and unusual punishment. The supreme court established evaluation criteria.

So, the main thing is to determine whether the sentence exceeds what is necessary to attain a penal objective, whether there are appropriate alternatives, and whether it is aimed at social reintegration and rehabilitation.

Judge Dickson felt it was appropriate to examine the object and effects of a law in controlling its content. This stems from *R. v. Big M Drug Mart Ltd* [1985] 1 S.C.R. 295.

The supreme court has therefore, on several occasions, brought down decisions invalidating provisions which were in violation of section 12 of the charter and did not meet the criteria of justification in section 1 of the charter because of the disproportional impact of the sentence.

This is what is reflected in the wording of Bill C-386, which imposes a sentence of life imprisonment for a first offence. This is in clear contradiction of the objectives set out in the criminal code and the guidelines developed by the courts over the years.

In *Big M Drug Mart*, the chief justice clearly summed up the criteria for assessing proportionality, stating that first, the measures must be carefully designed to attain the objective in question.

The second criterion addresses the rational link between the means chosen and the least possible effect on rights or freedoms.

The third is a matter of "proportionality between the effects of measures restraining a right or freedom and the objective recognized as being of sufficient importance".

For all of these reasons, the Bloc Québécois is not in favour of this bill, particularly where the flagrant lack of proportionality is concerned between the severity of the act and the sentence.

●(1810)

[English]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I want to begin by thanking the hon. member for Calgary East for bringing forward this important amendment. I want to congratulate all members who have put their remarks on the record.

This amendment, let us be clear, is about amending the criminal code with respect to putting in place a mandatory minimum sentence for the offence of break and enter or what is more commonly known today as home invasion. There is a common sense element to this, that is, we know that in Canada today, in all parts of the country, both rural and urban, there is an increasing number of these types of offences. We also have to take into consideration the grave impact that it has on citizens.

Private Members' Business

In particular, I point out the impact that it has on senior citizens and the lasting psychological impact that it has on people when their home, their castle, has been invaded. The sense of security that should exist, that home sweet home sentiment, is irreparably harmed when people have had their homes broken into and their personal belongings rifled through or stolen. This is the type of implication that has to be stressed when considering a change such as this one.

We know that these issues, which are within the discretion of the judge, can result in severe sentences. The hon. member from the Bloc referenced the fact that the sentence is up to and including life imprisonment. The problem, or what I suggest is very much the motive behind the hon. member for Calgary East bringing forward this motion, is that the benchmark is too low. As parliamentarians and makers of law, we should not shy away from on occasion taking forward amendments like this to send a direction to the judiciary on issues such as this as a statement, as a reflection on what we feel to be the public sentiment at the time.

The mandatory minimum that comes into play is in respect of residential homes. The code section deals with dwelling homes or residential homes specifically because of this element of security and property and a sense that people should be safe in their homes of all places. There is an obligation currently in the criminal code, when there is a weapon present, for mandatory minimum sentences to be in effect. There are also provisions in the criminal code that allow for mandatory minimum sentences for impaired driving. Repeat offences can result in mandatory minimums. It is that old premise of "three strikes and you're out". In this case it would be two strikes and you are out, because of the seriousness of this offence.

Some anomalies could occur. I think particularly of an instance where a young person is convicted of a break and enter offence and, 15 years later, convicted of a second offence. Not to suggest that there is any excuse for that, but it is suggested that a mandatory two year sentence should be imposed when there is this lag time in between the offences as opposed to when there might be some close proximity. All of that is discretionary now. A judge has the ability to consider all these things in the normal routine that occurs: the sentencing principles that come into effect, the general and specific deterrents, the circumstances of the victim and the criminal record. Very clearly what this amendment is meant to do is to denounce and to put in place a very clear deterrent for repeat offences for this type of offence because of its prevalence, because of its serious impact and because of the need, I would suggest, due to the current benchmark being so low.

All of that is to say that I support what the hon. member is trying to do. I would suggest that because of some of the nuances that need to be explored, this anomaly that could occur where there is a large gap in time between the commission of the first and second offences, we might consider lowering it to one year or we might in fact consider putting in place discretionary considerations for the judge to impose that mandatory minimum.

The offence itself is prevalent in rural ridings in particular. It is often drug related. It is often done by gangs. Organized crime is often involved because of the desire to steal antiques or certain objects of great value. There is also another element to this in terms of the need for deterrence. That is what we have seen. I would suggest that it is tied in somewhat with the gun registry and

sometimes with the need that people have to feel safe in their own homes. This might be the reason for which they would keep a weapon. The current law is not consistent with the abhorrence people have for their homes being broken into and their property being destroyed or stolen.

• (1815)

There is also, I would suggest, a great potential for further danger and violence when a person knows that individuals are home and goes into that dwelling house, and this is why changes were made recently to the criminal code. The potential for violence is so real. We have made changes in the criminal code with respect to the presence of a weapon in the commission of an offence, resulting in mandatory time. Why would we not in that same vein, following that thought pattern, make it a mandatory minimum for repeat offences when a person breaks into a home knowing that an individual is in that home, knowing that the potential for confrontation and therefore violence is so real?

I would suggest that it is a recipe for disaster if we simply ignore this issue. I think the sentiment behind the bill is the correct one. Members can surely relate. I am sure they have spoken to individuals in their constituencies, perhaps even family members or friends, who have experienced this trauma of having their home and property violated. The sense of security, particularly for seniors, is so gravely disturbed and interrupted. Not only for individuals who are fragile psychologically but for anyone who has experienced this type of trauma, having their home broken into has a lifelong and potentially life altering effect.

This is the context in which this issue has been brought forward by the hon. member. The mental anguish can be incalculable and I think that has to be underscored when we are examining the potential changes. The Conservative Party supports the principle of the bill. It recognizes the public safety concerns, which have to be primary when judges routinely are faced with this type of scenario in the courts with increasing frequency. Home invasion has been on the rise. The statistics seem to show this consistently. It is increasing, particularly and perhaps most disturbingly among young people and, on occasion, young women.

We are compelled and, I would suggest, obligated as members of parliament to do something to address this issue. That is what the hon. member for Calgary East is trying to do. Bill C-386 would send this message of deterrence. It would give a direction to the judge that a minimum should be considered mandatory when there is this nexus, this repeat behaviour of such a criminal offence. As I have suggested, the benchmarks would dictate this. The current sentencing schemes are not sufficient, just as we have the imposition of conditional sentences being applied for certain types of offences. It is not appropriate, I would suggest. Under the current range of sentencing, a conditional sentence is an option.

Private Members' Business

We should not shy away from giving judicial direction on occasion. That is our obligation. That is very much a part of what we should be embracing. If as a matter of public policy the law is being interpreted in too liberal or too lenient a fashion, we should be quick and we should be proud to try to make those changes when necessary. I believe that the case is there. There are certainly occasions when the offence is so serious and the implications so grave, as I have said before, that there should be legislative directive, particularly when it undermines public confidence in our justice system, which is a bigger problem. It erodes public confidence in the law and in our systems of justice.

We support this initiative in principle. We suggest that it would serve the public better to have the bill adopted. We could take it to the justice committee where there could be further study and possible amendments. Having it sent to that committee would allow us to look at its parameters and at the impact it might have, not to water it down but to ensure that the broad range is still permissible when the circumstances are appropriate. The aggravating and mitigating circumstances will remain in effect as part of the sentencing process.

This is a good bill. It is one that I would encourage members of parliament to support, particularly to get it to the justice committee where it could be embraced, put into place and brought back to parliament for passage and insertion into the criminal code.

● (1820)

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, I am pleased to stand today to address this private member's bill tabled in the House by my colleague from the adjoining riding of Calgary East. I too share many of the member's sentiments when it comes to sentencing for a crime which really has proliferated in many of our communities. I can say that over the last 30 or 35 years its impact on so many of our areas and communities and on the lives of the people has increased exponentially.

I can recall my early years as a police officer in the city of Calgary, where a crime such as break and enter in a dwelling was a serious crime and the investigators had to be called out, if members can feature that, to come and investigate that crime. Today the numbers of break and enters that fill the police ledger are so numerous that the constable on the street has become a paper-shuffler. He will answer the call. He will take the information from the victim. Most of that is for the purposes of insurance so that there is a report on file. That constable then goes on his way without really having had the opportunity or the time to go and investigate the crime. That is how much things have changed over the last 35 years. Then it was a serious crime and an investigator was assigned to it but now it is just like taking a report on a theft. That is how prevalent the crime is today.

I can appreciate any piece of legislation that would offer some sort of a deterrent. I think it is high time we started looking at deterrent legislation. Unfortunately things are going the opposite way. There is not the deterrent legislation that there used to be.

I do not know if anyone in the House has had a break-in at their own place. I wonder if everyone has experienced that. I have too, as a police officer. Culprits that were in the neighbourhood decided to break into my place. They stole a number of items. They ransacked the entire house. They got into every drawer, turned clothes upside

down and took clothes out. They took some of my police equipment. An investigation was conducted that involved several police officers over a long period of time. There was a known group of people in the community that was breaking into the houses in the region, which is no different from what is happening today, yet those people were never charged.

The impact that it had and has left on my family was quite significant. My wife was very upset because someone had touched every piece of clothing in the house. That was a violation right there. That is a lasting anxiety. It takes a long time to disappear. It happened when we were out of the house and I would hate to say what the feelings of the victims would be if they were in the house when a culprit entered uninvited.

It is a crime and although it is considered a property crime it does have this very personal nature to it. It is an abuse and a violation of privacy. Courts used to take those matters into consideration years ago. When I joined the police department years ago, the sentence was seven years for a house break-in. That was what it was when I left the police department in 1993 and now the sentence can be as low as six months.

● (1825)

The other unsettling feature to the court side of it is that the courts look at the offences of one offender which could number as high as 150 housebreakings as one offence. The courts sentence that culprit in a global fashion. It is called a global sentencing. Culprits could go out and break into 100 houses, and I have arrested people that have committed 100 break-ins, 150 break-ins and they would still be sentenced globally and it would be considered one offence in the eyes of a court.

There is something wrong with that kind of viewpoint. There is something wrong when offenders, whether they are young offenders or adults, get six months, a year or two years for committing 150 break-ins. I have talked to the victims. Unfortunately the courts have never had that opportunity to personally talk to them. I have seen heirlooms stolen from a housebreaking where the culprit is caught. The maximum sentence I have ever seen as a police officer testifying in court was four years and that was for 150 housebreakings. There was even suspected violence in one, but it was never proven.

I believe there is a need to visit not only the minimum sentences offered in court, but a complete review of the court sentencing practice of global sentencing.

If I were to look at this potential legislation and consider who is a repeat offender, I would ask the government side of the House that if a second offence was committed by the same culprit, and I do not care if it was prior to sentencing, the individual would be a repeat offender. The individual has now committed more than one crime. Unfortunately the courts do not look at it that way. A culprit can commit 150 such crimes, but the court sentences the individual to one sentence.

Adjournment Debate

I have never, and I do not think anyone here can testify to the contrary, seen a culprit obtain a life sentence for housebreaking. I looked at the statistics. There are nearly 300,000 housebreakings in this country each year. That is a lot of insurance claims. That is a lot of victimization. The statistics undoubtedly reflect not only dwellings, but it would appear that they also reflect shopbreakings. Even if half of those numbers were on housebreakings those are major violations.

A housebreaker, and I am going to say he because as far as I know there have been few females charged with this offence, although there are more now, but they generally go from the very minor theft of jewellery items all the way up to the total destruction of a residence. Even with the total destruction of a residence, I have never seen a sentence go beyond four years. When I say total destruction I mean ransacking the entire premises and doing significant damage inside.

I will reflect on Bill C-386 which my colleague from Calgary East has presented to the House. I encourage Liberal members to pay attention to the bill. I believe there is a safety factor issue for our communities. I encourage Liberal members to support the bill.

• (1830)

The Acting Speaker (Mr. Bélair): The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item, the order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

TRADE

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, under the terms of the NAFTA agreement attempts by government to impose restrictions on corporations to protect the environment, to preserve natural resources, to defend public health, to ensure labour rights or protect culture can now be challenged as a trade barrier. When governments attempt to impose restrictions they can find themselves subject to expensive legal challenges from corporations.

Take the case of Guadalupe, a town located in the Mexican state of San Luis Potosi. A NAFTA tribunal found that Mexico violated NAFTA's chapter 11 investor provisions by not allowing California based Metalclad to open a hazardous waste treatment and disposal site. The tribunal ordered the Mexican government to pay \$16.7 million to Metalclad.

The decision was appealed by the government of Mexico but in upholding the NAFTA tribunal's decision the judge pointed out that the language in NAFTA was so broad that the government's action amounted to a violation of the company's rights. Even when the government acts in the public interest, as it did in Mexico, and follows legitimate procedures but interferes with corporate profit making, it can be forced under NAFTA to pay millions of dollars in

damages to corporations. Therefore the government of Mexico had to pay Metalclad \$16.7 million.

In 1998 the Government of Canada caved in to corporate pressure under NAFTA. Ethyl Corporation, the producer of a fuel additive, MMT, filed a \$350 million NAFTA lawsuit against Canada. Our government banned this product by an act of parliament in 1996 because MMT was deemed a hazard to human health. However, anxious about losing in court, Ottawa settled out of court and paid Ethyl \$19 million. It also issued a statement denying that MMT was a health hazard.

In the United States of America we now have the yet unresolved issue of California's ban on the additive MTBE, produced by a Canadian company called Methanex. It is basing its NAFTA lawsuit on the notion that it has not been proven beyond a shadow of a doubt that MTBE causes cancer in humans, only in rats and mice.

These three cases permit us to note that: first, corporations have more success at NAFTA tribunals than in domestic courts when opposing environmental and health regulations; second, NAFTA tribunals reject the precautionary approach and promote investment and trade above all; third, acting under NAFTA corporations can pressure foreign governments in the expectation they will back off; and finally, NAFTA tribunals can and effectively do overturn laws passed by democratically elected legislatures.

NAFTA tribunals are not open to the public and conduct their proceedings in secret. One of the many problems with NAFTA is that it grants investors a powerful new set of rights in their business dealings abroad, but assigns no new responsibilities. As a result, NAFTA increases the powers of corporations and diminishes the power of governments.

It is therefore most alarming and distressing to see democratically elected governments become less relevant and lose power to corporations. Signing international trade agreements should not lead to a reduction of the state role in protecting the public good.

In essence, what NAFTA does is it allows corporations to make profits which corporations would not be able to make under national laws. In addition, NAFTA allows a perverse reversal of democratically adopted rules by a non-democratically chosen tribunal acting in secrecy.

For these reasons I am asking the parliamentary secretary the following questions. Is the Government of Canada proposing an interpretive statement of the scope of article 1110 on expropriation for adoption at this year's meeting of the free trade commission? Is corrective language being proposed to deal with the thorny issue of investor rights in chapter 11? Will the commission on environmental co-operation in Montreal be assigned the task of resolving this deeply disturbing issue?

• (1835)

Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.): Mr. Speaker, I thank my hon. colleague for raising this important matter at this time.

Adjournment Debate

The position of the Government of Canada is that chapter 11 of NAFTA is working reasonably well, but as he correctly noted, there is room for improvement. Chapter 11 needs further clarity and transparency. Canada is committed to this important clarification process.

As an open and dynamic economy with significant international trade and investment flows, Canada has consistently supported a strong rules based system, multilaterally, regionally and bilaterally. We move on those three trade fronts simultaneously. We believe that investment rules can play an important part in providing a stable, transparent and predictable environment for international investment.

The importance of these rules to Canada's prosperity is clear. The value of Canadian direct investment abroad has increased by 400% between 1985 and 2000. This is an increase from \$57 billion to \$301 billion. In 2000 we benefited from over \$291 billion in foreign direct investment in Canada. In turn, this investment generated Canadian jobs and fostered the growth of Canada's gross domestic product.

The growth in foreign investment by Canadian business has increased the demand for improved access and greater protection for Canadian investments abroad. Rules which facilitate a stable, transparent and open environment are an essential component of their success.

In light of such considerations Canada has long advocated a rules based international system and impartial dispute settlement in its trade and investment agreements such as NAFTA.

The NAFTA text was built on a longstanding experience and institutional knowledge of international trade and investment law. NAFTA parties want to ensure that it is understood and used in its proper context. My hon. colleague has cited some examples that could be stated as a misuse of chapter 11. To this end, the agreement provides for the issuance, by the NAFTA free trade commission, of notes of interpretation on provisions of chapter 11.

On July 31, 2001, the commission, which is comprised of NAFTA trade ministers, issued a binding interpretation on article 1105, the minimum standard of treatment provision. The notes of interpretation reaffirm that the standard of treatment set out in article 1105 reflects customary international law concerning the treatment of foreigners or aliens. It confirmed that a purported breach of another NAFTA article, or indeed a provision from another treaty, cannot constitute a breach of article 1105.

This binding interpretation also confirmed that fair and equitable treatment and full protection and security do not create additional obligations beyond those required by customary international law. The issuance of this binding interpretation has thus contributed to a proper understanding of article 1105.

I want to emphasize the importance the government places on the chapter 11 clarification process. The government understands that it is important to have such provisions, but it also understands, as my colleague mentioned, that there have been misinterpretations and that there needs to be greater clarification and transparency. The minister is highly committed to that. It is one of his top priorities.

• (1840)

Hon. Charles Caccia: Mr. Speaker, I am grateful to the parliamentary secretary for his reply.

I draw to his attention the fact that what is happening in the three particular cases which I outlined tonight is not due to misinterpretation. It is part of an overall pattern of the use of chapter 11 which we are told was not originally intended, but nevertheless has become a practice. Therefore it is well beyond the realm of misinterpretation.

I am glad to hear from the parliamentary secretary that the minister is fully committed not only to transparency, but also to an initiative that would ensure, if I understood him correctly, that an interpretive statement on the scope of article 1110 on expropriation might be adopted this year at the meeting of the free trade commissioners.

Mr. Pat O'Brien: Mr. Speaker, briefly I would again reassure my colleague and thank him for raising this matter. What I meant to say was that it is the view of Canada that in chapter 11 the application of that clause has been stretched. That is what I meant by misinterpreted. Clearly it is being interpreted beyond the scope that was originally intended by the three signatories, hence the need for clarification.

The minister also supports very much the need for greater transparency.

• (1845)

AUTOMOBILE INDUSTRY

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I rise today as the result of an exchange I had recently with the industry minister. I pointed out that our automobile manufacturing industry is in deep trouble. On May 7 I asked what if anything the government would do about it.

It may appear odd that a member of parliament from a southern Saskatchewan riding is talking about an industry that Canadians know is based in Ontario and Quebec. To that I would say that Canadians are family and when plants are being closed, when thousands are being thrown out of work and when families begin to ask for example whether they can afford to send their children to camp in the summertime, then I am concerned, my party is concerned and Canadians are concerned.

The auto industry has been one of the great engines of prosperity in Canada. Auto production generates high wage, high value jobs. Every auto job generates, we are told, a total of 7.5 jobs in the broader national economy. So when auto workers suffer in Ontario and Quebec, all of us suffer.

Adjournment Debate

For the past 40 years the auto pact provided for a hugely successful industry in this country, but as a result of the World Trade Organization ruling a couple of years ago, the auto pact is history. I can remember members opposite sneering at the auto workers when they expressed concern about the free trade agreement and NAFTA. They asked what people were worried about because they had the best free trade arrangement that was possible. They do not have that any more and as a result the industry we think is headed for if not a crisis, certainly a deep recession.

For example, auto assembly will decline by 30% by next year compared to its peak three years ago. That means over 15,000 well paying auto jobs in this country have already disappeared. Thousands more are scheduled for layoff. Three auto assembly plants are facing closure, including the very profitable Oakville truck plant which has served notice that it is closing next year.

In 1999 when it was at its peak, Canada ranked as the fourth largest auto producer in the world. Last year we fell to seventh and by 2005 we will likely be passed by both China and Mexico.

Does the government have a plan to turn around this serious decline in the auto industry? Will the government begin to provide incentives so that the next auto investments do not go to Alabama and Mexico as the last ones did? What will the government do to address our huge automotive trade deficits with Japan, Korea, Europe and Mexico, deficits that together totalled \$14 billion last year?

My concern does not begin and end with the auto industry. We are concerned about agriculture, the farm subsidies and the U.S. farm bill. We heard today from the workers of a shipyard in Saint John, New Brunswick which used to employ 3,000 people. Now it is facing permanent closure, as are the shipyards in Lévis. The list goes on.

A recent report by the Conference Board of Canada said that we are losing an alarming number of corporate head offices, the so-called hollowing out of Canada. A federal government report shows that we are falling behind in research and development.

We think the government has put all of its eggs in the globalization basket and that basket is not supportable or sustainable. The government it seems has no vision for protecting Canadian industries, Canadian jobs or Canadian farmers. That is what we are asking for and I will be interested in the response.

[*Translation*]

Mr. Serge Marzil (Parliamentary Secretary to the Minister of Industry, Lib.): Mr. Speaker, on May 7, 2002, the member for Palliser put a question to the Minister of Industry regarding what the government planned on doing to give a boost the Canadian auto industry.

Recently, we have seen and heard bad news accompanied by comments regarding the future of the auto industry in Canada, and I am happy to have the opportunity to speak on this.

First, I would like to dispel the myth that the auto pact had a negative impact on the Canadian auto industry and that the industry is in decline, as the member for Palliser inferred. Nothing could be further from the truth.

The Canadian auto industry is in very good shape, it is competitive internationally and is very productive for reasons that have nothing to do with the auto pact. For a long time now, the industry has surpassed many of the production requirements in the auto pact. So in reality, the World Trade Organization's decision has not had a significant impact. Canada has now established a level playing field for all automobile manufacturers. The 6.1% tariff on all vehicles produced outside of North America encourages them to set up shop and manufacture in Canada.

The most recent data for the auto industry show that, between April 2001 and April 2002, Canadian production of cars and trucks increased by 15%. According to industry analysts, last year, over 256,000 vehicles were made in Canada. This increase in production shows that the vehicle market in Canada and in the United States is faring better than anticipated. Let us not forget that automobile production and sales reached an all-time high in 1999 and 2000.

However, Canada, like other countries, felt the impact of the recent North American economic downturn, of the restructuring that the industry had to go through to adjust to changing consumer demand, of the internal problems experienced by some companies, and of the overcapacity that exists in North America.

But let us be clear about one thing: the Canadian industry remains sound and competitive. Canada continues to be a great place to make cars and trucks, as evidenced by the following examples: Honda selected its Alliston plant, in Ontario, to build the new Pilot sports utility vehicle that will be sold across North America; General Motors is creating 1,000 new jobs at its Oshawa plant to produce the Chevy Impala; Daimler Chrysler recently announced that it would invest \$460 million to prepare its Windsor plant for Chrysler's new Pacifica model; Ford and Toyota also announced investments of several millions dollars in the coming years.

The auto industry is investing in Canada because our economic foundations are sound, our manpower is highly qualified while its cost remains competitive, and the business climate is excellent, given our low inflation rate, low interest rates and competitive tax system. Canada remains a place where manufacturing costs are low, which is a major advantage from a productivity point of view.

We realize that Canada cannot rely solely on its past successes and take this vital industry for granted. Our government is working hard to ensure that auto makers will continue to invest and develop in Canada.

● (1850)

[*English*]

Mr. Dick Proctor: Mr. Speaker, I think by the response of the parliamentary secretary we are whistling past the graveyard on this issue.

Adjournment Debate

The fact is that of 16 new auto assembly plants built or announced in North America over the last 12 years, just one of those new plants was in Canada. The rest of them were located either in Mexico or in the deep southern U.S. states of Alabama and Mississippi where right to work laws exist and unions are virtually outlawed. Probably most important, governments offer up huge subsidies to attract these new plants.

The centre of gravity of the North American auto industry is moving southward and fast. Our much vaunted economic fundamentals and our competitive advantages are not protecting us. The foreign auto executives have no loyalty to this country. Even when plants are profitable and productive, as the Ford truck plant in Oakville has demonstrated, they are closed down because they do not fit the business plan or they get a sweeter offer elsewhere.

[Translation]

Mr. Serge Marcil: Mr. Speaker, it has even been reported in the *Financial Post* that the automobile industry is migrating to the south, including to Mexico.

Even though the automobile industry has experienced impressive growth over the last ten years, a recent study by Charles Rivers and Associates, the cost of which was shared by Industry Canada and the government of Ontario, concluded that the expansion into Mexico did not occur at Canada's expense. Both countries have a lot to offer to world manufacturers and will both continue to benefit from new investments.

In the United States, there is a war going on between nearly every state, every city and every municipality to attract that industry.

[English]

FISHERIES AND OCEANS

Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance): Mr. Speaker, on February 22 I asked the minister of fisheries about a big issue in my riding having to do with flooding. I asked the following question:

The district of Kent, Seabird Island and all the communities along the Fraser river are threatened by potential flooding every year, yet the minister of fisheries refuses to allow enough gravel to be removed from the Fraser to lessen the chance of potential flooding.

We all know that an ounce of prevention is worth a pound of cure. Will the minister commit today to allow for immediate gravel removal from the Fraser River, or will he allow his inaction to threaten thousands of people in my riding and surrounding communities?

The minister responded:

I can assure them that I will take immediate action to make sure this is resolved as quickly as possible.

Unfortunately, before seeing my responsibilities in the act and the details of this matter, I cannot prejudge which way I will decide, but I can assure them that I will be expeditious.

Surprise, surprise. Just a few weeks later there was a headline in the *Agassiz-Harrison Observer* in my community which read "DFO stalls gravel removal plan". The article states:

The district had been prepared to extract 30,000 cubic metres of gravel from the river at Harrison Mills and Hamilton Bar as part of its flood prevention program. According to the DFO, further assessment is required in accordance with the Canadian Environmental Assessment Act to determine the impact any gravel removal would have on the surrounding habitat.

This issue has been studied to death over and over again in this area. The provincial government is on side, the local communities are on side. The only group that is not on side is the federal government and the minister of fisheries. Because of his inaction he is putting at risk the communities along the Fraser River. This is a very important issue. It is just unbelievable.

The mayor of Agassiz had the following to say:

Economically, we need gravel for construction, for cement making, for fill, for any number of things in the community.

There is already a renewable source there that keeps washing down every year. This gravel could be used in the community and everybody is on board with it. It is just unbelievable the minister would continue to not allow this to go forward. The local MLA, who is a Liberal, is on board. He states clearly that he wants to see this happen.

I have been representing this issue for a number of years and still there is no action. We have a debris trap also located close to Agassiz which traps logs that are coming down the river, smashing into the sides of dikes and causing damage. The government was going to remove funding for that as well.

I talked to the people at the Seabird Island reserve in my riding. They are on board. They want to see the gravel removed from the river too because it is causing damage to the community. Ten acres wash down the river every year, which is just unbelievable, yet we see inaction.

If the argument is that it is all about fish habitat, decreasing the flow by decreasing the amount of gravel in the river would actually enhance fish habitat.

I know my friend is filling in on this issue. I hope he has more than just a response provided to him by the minister of fisheries and that he will endeavour to talk to the minister to allow the gravel to be extracted from the Fraser River to lessen the potential of flooding in my riding and surrounding communities.

● (1855)

Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.): Mr. Speaker, as my colleague from Dewdney—Alouette noted, I will respond on behalf of the Minister of Fisheries and Oceans although he is not the minister with whom I normally work.

I understand the importance of the issue the member has raised, certainly the importance to his community. I have a long detailed answer that I will not have time to finish, so I will endeavour now to provide the response to my colleague opposite as no doubt it will be of great interest to him and his constituents. He then can take the appropriate action.

The history and importance of gravel removal from the Fraser River is important to the communities in the Fraser Valley area. I recognize the concerns of the communities regarding public safety with respect to flood hazard management, which the member mentioned, erosion control and navigational safety. I would also like to recognize that the part of the Fraser River from Abbotsford to Hope, B.C., is rich in fish and fish habitat values, especially salmon spawning and rearing sites, as well as trout and sturgeon habitat.

Adjournment Debate

Gravel plays a significant role by providing the habitat and protection of juvenile fish in that part of the river. The Department of Fisheries and Oceans is responsible for fish and fish habitat under the Fisheries Act. Subsection 35(1) states that:

No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.

To permit activities which may cause a harmful alteration, disruption or destruction of fish habitat, commonly called a HADD, subsection 35(2) permits the minister to authorize such activities under any means or conditions which are deemed necessary. The authorizations follow the department's guiding principle of no net loss of the productive capacity of habit as set out in the DFO policy for management of fish habitat.

Prior to authorizing a HADD, the Canadian Environmental Assessment Act requires that DFO undertake an environmental assessment to assess the environmental effects of a project. During the assessment we consider the effects of the project on the environment as well as, for example in this case, on the current use of lands and resources for traditional purposes by aboriginal persons.

Once the assessment is complete, and if it is concluded that there will not be a significant adverse environmental effect, a subsection 35(2) authorization will be prepared with conditions to permit the project to proceed.

For most of the past century gravel has been harvested from this part of the Fraser River for commercial purposes. The gravel has been used to assist in building much of the infrastructure of the lower mainland.

Four years ago federal and provincial scientists, the academic community and the public, raised concerns that too much gravel was being harvested from the Fraser River. This extraction was thought to be having long term adverse effects on the habitat for fisheries resources in the area.

As a result, the department, in partnership with provincial agencies placed a three year moratorium on gravel removal pending completion of a number of scientific studies and development of a comprehensive management plan for this stretch of the Fraser River.

I will provide the rest of this written response to my colleague. I am sure he would like to have it.

● (1900)

Mr. Grant McNally: Mr. Speaker, I would ask my colleague to check a map because my riding actually covers Agassiz, Maple

Ridge, Mission and Pitt Meadows. He talked about Abbotsford to Hope which is actually the eastern part of the river. I am talking about Agassiz to the west, so that is a starting point.

Second, since the moratorium was put in place the gravel increased. The riverbed increases every year. That is what puts the community at risk.

As I stated earlier, fish habitat is actually helped and increased by the gravel removal because if there is fast moving water there will be no areas for fish to establish a habitat. They just would not be able to survive there. To increase the habitat, why not allow the gravel to be removed because virtually there has been none for many years. It is causing a serious problem, and woe that the federal government would be on the hook for clean-up should there be a flood, which is what people are worried about.

The cost of diking is just outrageous and too much. Would he endeavour to communicate with the minister to allow for the gravel removal?

Mr. Pat O'Brien: Mr. Speaker, first, I do not pretend to know the geography of the Fraser River and the valley as well as my colleague, but I have had the opportunity to travel in that very beautiful part of Canada.

I understand the member's concern to some extent and I would encourage him. I will endeavour to ensure the minister is apprised of this exchange this evening. I know my colleague is well aware of his opportunities to raise this with the minister.

What I am informed of is that there are certain legislative constraints on DFO that have to be followed and that there is an assessment underway now which will take some time. When completed, hopefully the appropriate action will be taken expeditiously.

I thank my colleague for raising this and I will endeavour to share the rest of my comments with him.

[*Translation*]

The Acting Speaker (Mr. Bélair): The motion to adjourn the House is now deemed to have been adopted.

Accordingly, this House stands adjourned until tomorrow at 10 a. m., pursuant to Standing Order 24(1).

(The House adjourned at 7:04 p.m.)

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