



CANADA

# House of Commons Debates

---

VOLUME 139 • NUMBER 022 • 3rd SESSION • 37th PARLIAMENT

---

OFFICIAL REPORT  
(HANSARD)

**Tuesday, March 9, 2004**

—  
**Speaker: The Honourable Peter Milliken**

## **CONTENTS**

(Table of Contents appears at back of this issue.)

All parliamentary publications are available on the  
"Parliamentary Internet Parlementaire" at the following address:

**<http://www.parl.gc.ca>**

# HOUSE OF COMMONS

Tuesday, March 9, 2004

The House met at 2 p.m.

---

*Prayers*

---

## STATEMENTS BY MEMBERS

• (1400)

[*Translation*]

### **THE CHOMEDEY NEWS**

**Ms. Raymonde Folco (Laval West, Lib.):** Mr. Speaker, recently, the Canadian Community Newspapers Association, which represents some 700 members, gave *The Chomedey News* the Blue Ribbon General Excellence Award for the fourth year in a row.

This award recognizes the outstanding professionalism demonstrated by the editorial team of *The Chomedey News*, the objectivity and quality of its research, and the excellence of its content.

Its in-depth analysis and critical eye make this Laval newspaper an example of what a community newspaper ought to be.

We are seeing an alarming concentration of the media in Canada; however, *The Chomedey News*, established in 1993, remains an independent newspaper.

I applaud the editorial team for its work and thank it for its contribution to Laval and to democracy.

\* \* \*

• (1405)

[*English*]

### **MIDDLE EAST**

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, I rise today to support the legitimate efforts of the state of Israel to protect its citizens from the deadly violence of homicide bombers.

Sadly, the new International Court of Justice at The Hague is hosting a show trial against Israel, defending its construction of a security barrier which anti-Israeli militants ridiculously claim is a crime against humanity.

For 50 years the tiny state of Israel has struggled to survive against a constant existential threat, including four attempted invasions. But these attacks have never deterred Israel from seeking a lasting peace with the Palestinian people, a peace which was ultimately rejected by Yasser Arafat at Camp David.

Since then Israel has faced a new kind of invader: homicidal anti-Semitic maniacs who target innocent citizens for the sole crime of being Jews.

Israel has responded by constructing a security fence designed to keep the murderers out. A similar fence around the Gaza Strip has been a successive defence barrier.

Any responsible state would act in like fashion to protect its citizens from daily violence, and Canada should act like a responsible state by denouncing this abuse of the ICJ which we helped to found.

\* \* \*

### **VOLUNTEERISM**

**Hon. John McKay (Scarborough East, Lib.):** Mr. Speaker, I rise in the House today to congratulate Mr. André Rousseau, one of the members of my constituency, on his exemplary voluntary service in Lithuania.

Mr. Rousseau was sent to Lithuania on assignment with the Canadian Executive Service Organization, CESO, to assist with the marketing and management of a local hotel. While there, Mr. Rousseau met with department managers, analyzed department operations and made recommendations for improvement. He provided advice on management structure, specialized job training and qualification upgrading. He also prepared and presented reports on a variety of elements of hotel operations.

Mr. Rousseau exemplifies the spirit of volunteerism that is characteristic of Canadians. I applaud him on his willingness to serve others and welcome other hon. members of the House to do the same.

\* \* \*

[*Translation*]

### **MIMI D'ESTÉE**

**Mr. Gilbert Barrette (Témiscamingue, Lib.):** Mr. Speaker, we were saddened to learn of the death of Reine d'Estée, better known under her stage name of Mimi d'Estée.

Although Mrs. d'Estée was born in France, her family settled in Montreal in 1913.

She became a star in the early days of radio and television. In the 1940s, she was called the "Reine de la radio" or queen of the airwaves, a play on her name.

*S. O. 31*

In addition to appearing on stage and the radio, Mrs. d'Estée had a long television career. In 1954, she appeared in the television series *14, rue des Galais*.

A veteran performer, she recently appeared in series such as *Les tisserands du pouvoir* and *L'or et le papier*.

I ask my colleagues to join me in recognizing the contribution of Mrs. d'Estée to Canadian culture.

\* \* \*

[*English*]

#### PEARSON PEACEKEEPING CENTRE

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, the Pearson Peacekeeping Centre is an independent organization, established in 1994 by the Government of Canada. Located in southwest Nova Scotia, the centre uses the facilities of former Canadian Forces Base Cornwallis.

The Pearson Peacekeeping Centre supports and enhances the Canadian contribution to international peace and security through the provision of quality research, education and training in all aspects of peace operations.

Since 1995 the centre has hosted over 6,000 persons from Canada and 142 other countries.

The Centre must continue to serve as a centre of excellence to further strengthen Canada's role in supporting international peace and security.

My sincere thanks to the Minister of Foreign Affairs and the Minister of National Defence for their continued cooperation in ensuring that we maintain this important resource at Cornwallis in Nova Scotia.

\* \* \*

#### AGRICULTURE

**Mr. Inky Mark (Dauphin—Swan River, CPC):** Mr. Speaker, it is now almost 10 months since the discovery of BSE in Canada and the closure of the American border to live beef imports. In all this time, the Liberal government has not come up with a viable solution for those affected.

BSE and the resulting border closure impacts not only the farmers of Dauphin—Swan River but farmers across the country and related industries.

Canadian farm families are facing disaster, having been abandoned by the Liberal government without any hope or help.

Politics created this problem. The only way to resolve it is through politics. This is about leadership. The question is: Will this Prime Minister show real leadership or simply stand by while the agriculture and agri-food industry are decimated?

• (1410)

[*Translation*]

#### PIERRE FALARDEAU

**Hon. Serge Marcil (Beauharnois—Salaberry, Lib.):** Mr. Speaker, I rise to denounce Pierre Falardeau's remarks published in a Quebec newspaper funded by the Bloc Québécois. These remarks insulted the memory of a great Quebecker, Claude Ryan.

Pierre Falardeau's remarks not only insulted a man and his family, a man who devoted his life to public service, but also all of Quebec's society, which has given a well-deserved tribute to Mr. Ryan.

Even more surprising is the support Pierre Falardeau received from the member for Trois-Rivières. Once again, we see that, for separatist Bloc members, there are two kinds of Quebeckers: the good ones who think like them, and the bad ones who dare to think otherwise.

I had the privilege to sit with Claude Ryan and I can assure the hon. members that he was a great Quebecker whose open-mindedness and tolerance should serve as an example here in this House.

I would hope that the leader of the Bloc Québécois will ask his member to withdraw his remarks.

\* \* \*

#### STATUS OF WOMEN

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, last year a United Nations committee gave the Canadian government 23 recommendations regarding compliance with the Convention on the Elimination of all Forms of Discrimination Against Women.

According to the Canadian Feminist Alliance for International Action, the government is not implementing its international commitments on human rights, especially women's rights.

Women's organizations are not included in the political decision-making process. First nations women continue to face discriminatory legal provisions and barriers to their basic rights to education, employment, and physical and psychological well-being. Canada has not earmarked money in federal budgets for anti-poverty strategies for women.

The Bloc Québécois denounces Canada's sorry performance with respect to improving living conditions for women and its lack of effort in implementing its international commitments.

\* \* \*

[*English*]

#### NUNAVUT

**Ms. Nancy Karetak-Lindell (Nunavut, Lib.):** Mr. Speaker, on February 16, 2004, the second territorial election took place in Nunavut.

In Nunavut there is a consensus style, no-party government, so last Friday, March 5, in secret ballots, the newly elected MLAs chose the representatives they wanted to be ministers, appointed a speaker and elected the premier of Nunavut.

I would like to congratulate Paul Okalik who was re-elected as premier, making him the first territorial premier to serve two consecutive terms. I look forward to working together with Premier Okalik in ensuring that the lives of the Nunavummiut will continue to improve.

Elected as speaker was Jobie Nutarak and selected as ministers were Ed Picco, Olayuk Akesuk, Leona Aglukkaq, Levinia Brown, Peter Kilabuk, David Simailak, and Louis Tapardjuk.

I congratulate the newly elected cabinet ministers who were sworn in on Monday and all the MLAs who sit today in the first sitting of the second government of Nunavut.

*Mutna.*

\* \* \*

### HOMELESSNESS

**Mr. Gurmant Grewal (Surrey Central, CPC):** Mr. Speaker, this Liberal government has had over a decade to fix the problems that all Surrey but it has only made matters worse.

Since the Liberals came to power, Surrey has achieved the dubious distinction of having more homeless people per capita than any other city in Canada.

With this government's deplorable record on crime, we now have the highest rate of car theft in North America. The marijuana trade, break and enters, gang violence and organized crime are all flourishing.

Unemployment is up. With no deal on softwood lumber, there have been shutdowns at the MacKenzie Seizai and Westminster Wood Products mills in Surrey and the Acorn mill in North Delta.

Liberal cuts have severely affected Surrey Memorial Hospital and infrastructure development. Under the Liberals, B.C. has become a have not province. B.C. Coast Guard, Vancouver Port Police and CFB Chilliwack have all closed.

The Liberals have ignored British Columbians and now British Columbians will ignore the Liberals at the polls. It is time for a Conservative government.

\* \* \*

[*Translation*]

### CHÂTEAUGUAY RIVER

**Mr. Robert Lanctôt (Châteauguay, Lib.):** Mr. Speaker, I would like to stand in solidarity with the people of my riding whose homes were flooded when the Châteauguay River overflowed its banks this past weekend.

Thirty-two homes were flooded out, and 38 people had to be evacuated. Two amphibious backhoes were used to clear away the ice. During my visit, late Saturday afternoon, I saw just how uncontrollable nature can be.

Since then, the situation has stabilized, but it is still a cause for concern. The authorities in Châteauguay remain vigilant.

*S. O. 31*

There are many men and women still working pretty well around the clock as part of the emergency plan that has been put in place. I would like to pay tribute today to all those workers.

It is always reassuring to see that the values of solidarity and helping others are still alive in our society. I certainly hope that the situation will be back to normal very soon. The people of Châteauguay can count on my support during this difficult time.

\* \* \*

• (1415)

### JEAN-FRANÇOIS BREAU

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, this past February 18 in Montreal was the grand premiere of *Don Juan*. The lead role in this spectacular production, with its Spanish ambiance, is performed by Jean-François Breau, a native New Brunswicker from Tracadie-Sheila.

On behalf of the people of Acadie—Bathurst, I congratulate Jean-François Breau on his success so far. We are all so proud of his career as an artist and a singer, and we wish him the best of luck at the Junos, to be held on April 4 in Edmonton. His album *Don Juan* has been nominated for best francophone album of the year.

\* \* \*

### UNITED NATIONS

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, it is a great pleasure for the Bloc Québécois to welcome to Parliament today the Secretary-General of the United Nations, His Excellency Mr. Kofi Annan. In his well-prepared speech, he reminded us that considerable work will be required to reach the millennium objectives and that that is the minimum we should be striving for.

I also want to say just how much the Bloc Québécois shares the principles behind the United Nations. We demonstrated as much, during the war on Iraq. We know too that reforms are needed, as the Secretary-General mentioned.

Based on these fundamental principles, the Bloc Québécois supports the UN intervention in Haiti but insists that, without disarmament, the reconstruction of Haiti will not be possible. However, the UN has extensive experience in this field.

Mr. Annan, we are counting on you.

\* \* \*

### INTERNATIONAL WOMEN'S WEEK

**Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.):** Mr. Speaker, the theme of International Women's Week 2004 invites all Canadians to celebrate those women whose lives have inspired us. Many of our hon. colleagues in this House are a source of inspiration to other Canadians. For this reason I support the "She's on a Role" writing competition for youth launched by Status of Women Canada.

*Oral Questions*

Young people between the ages of 8 and 24 are invited to submit a video, photograph or essay about a Canadian woman whom they see as a role model. This could be a woman who has made a special contribution to our country or whose work has inspired them in another way.

I cannot think of a better way for young Canadians to learn more about the numerous women who have helped and who continue to help shape this country and our world, and to encourage them in turn to play an active role in history.

Please encourage the young people you know to take part in this worthwhile competition.

\* \* \*

[English]

**MARIJUANA GROW OPERATIONS**

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC):** Mr. Speaker, on March 3, the Westwood Plateau Community Association hosted a town hall meeting to discuss the issue of marijuana grow ops in my community.

I congratulate the organizers of the event for providing a forum for what has become a major concern for my constituents.

From top to bottom, we need to reform our laws to fight marijuana grow ops. We need to reform our search and seizure powers, provide more resources for the Port Moody Police and Coquitlam RCMP, establish effective port security to cut down on marijuana smuggling, enact stiffer penalties for irresponsible landlords, impose tougher sentencing for criminals involved in grow ops, and break our social indifference to the slow invasion of our communities by the organized criminals involved.

The first step of the state is to protect those who obey our laws from those who do not. Before all else, a peaceful and orderly society must always be at the top of our agenda.

I pledge to all my constituents that I will do all I can to stop marijuana grow ops from attacking our quality of life.

Much work needs to be done, but in order to begin we need a government here in Ottawa that both recognizes the problem and is committed to tough new solutions.

\* \* \*

[Translation]

**JEUNE CHAMBRE DE COMMERCE DE QUÉBEC**

**Mr. Claude Duplain (Portneuf, Lib.):** Mr. Speaker, last Friday Quebec City's junior chamber of commerce held its Gala des jeunes personnalités d'affaires. The purpose of this event is to highlight the entrepreneurship and drive of accomplished young professionals who are making a name for themselves in the world of business.

One of these talented individuals is Guildo Griffin, president and general manager of Studio Party Time. Mr. Griffin is a native of the Lower St. Lawrence and in 1994, at the age of 18, he started his own business. Today he owns four dance schools, teaches 5,000 students and employs 60 people.

I would like to congratulate all the young people who were honoured at the gala, not to mention all those who persevere to achieve their dreams. Congratulations to the Jeune Chambre de commerce de Québec and its president, Patrick Gosselin, and his team for their remarkable work.

Thousands of young Canadians are ready to follow in the footsteps of Mr. Griffin. Let us support them.

\* \* \*

● (1420)

[English]

**AGRICULTURE**

**Mr. Leon Benoit (Lakeland, CPC):** Mr. Speaker, Canadian livestock producers are facing their worst crisis in 30 years but what is the Liberal government doing about it? Very little. And what it is doing is not helping much.

The Conservative Party has stepped in to do the job that the government should be doing, by tabling a plan. The short term plan involves \$900 million to be targeted to cattlemen and other affected livestock producers. This will be delivered through existing programs, plus a mature livestock rationalization program and borrowing aid.

The mid-term plan includes solving the North American trade problem, establishing testing regimes for all non-North American markets and establishing integrated North American rules on processing. It also includes educational and promotional programs for Canadian beef.

The long term program involves becoming less dependent on the American market by developing new markets.

This plan will cost a billion dollars but it will save a multibillion dollar annual livestock industry.

Our cattlemen deserve this protection.

---

**ORAL QUESTION PERIOD**

[English]

**SPONSORSHIP PROGRAM**

**Hon. Grant Hill (Leader of the Opposition, CPC):** Mr. Speaker, the Deputy Prime Minister stood in the House and repeated over and over that the government had nothing to hide. We now know that is not true. The communications committee meeting of cabinet met with, guess who, Groupaction back in 1998.

Why did the Prime Minister hide this meeting from the Canadian public and from cabinet?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, in fact, the materials that were provided were provided in full compliance with the motion that had been passed.

Now if what the hon. member is saying is that he would like to see further materials, as long as there is a motion from the committee or from the inquiry, and as long as they are in conformity with the Auditor General's report, I am sure the government will do its best.

*Oral Questions*

**Hon. Grant Hill (Leader of the Opposition, CPC):** Mr. Speaker, the Prime Minister very specifically promised in the House that he would release the minutes of the communications committee meeting.

So I ask the question again. Why has the Prime Minister broken his word to the Canadian public and to the House of Commons?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, the motion called for all cabinet documents pertaining to the sponsorship program. That is what was done. If the member would like to bring forward another motion then let him do so.

**Hon. Grant Hill (Leader of the Opposition, CPC):** What a weasel, Mr. Speaker. Here are the words, "I was asked by the Leader of the Opposition—"

**Some hon. members:** Oh, oh.

**The Speaker:** I do not know what the hon. Leader of the Opposition was referring to a weasel, whether it was the answer or somebody else, or somebody, but I do not think he wants to use language that would be inappropriate and perhaps he could refrain from suggesting, although I do not know exactly what he was suggesting, and I would not want to speculate, but to suggest that weaseling was going on would not be perhaps a polite suggestion.

The hon. Leader of the Opposition might continue without that suggestion.

**Hon. Grant Hill:** Mr. Speaker, the words of the Prime Minister are pretty specific. He said:

I was asked by the Leader of the Opposition if the pertinent cabinet documents could be made available.

—I believe the communications committee documents, be made available.

He promised to do that. Why did he not do what he said he would do?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, I just finished saying in the House that if the committee would like to pass a motion asking for documents, as long as they are in conformity with the Auditor General's report, those documents will be tabled. All they have to do is pass the motion.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC):** Mr. Speaker, it appears the Prime Minister conveniently forgot to table those documents of a meeting with Groupaction, a central recipient that is currently under investigation by the RCMP for the Liberal looting of the public purse.

It begs the question: Were notes of the meeting kept or shredded?

When will the Prime Minister simply keep his word and table all the pertinent documents pertaining to the Liberal sponsorship scandal?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, I have already answered that question. I said that if a motion is passed, which is the way it should be, they will be.

I would like to raise another issue. It is passing strange that on a day in which the Secretary General of the United Nations comes to this House, and in a week in which we are sending troops to Haiti, that not one time can the opposition make any reference to the fact that our men and women are going off to defend this country.

• (1425)

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC):** Mr. Speaker, it is pretty sad when the Prime Minister of Canada hides behind the brave troops of the Canadian Forces to avoid accountability in the House of Commons.

The Prime Minister has blamed everybody and their dog for the sponsorship scandal. During his time spent overthrowing his predecessor, he desperately tried to distance himself from his own responsibility.

He coined the phrase, "Who do you know in the PMO?" Well, that has been replaced by a new phrase, "How much dough did they blow in the PMO, and when did the Prime Minister know?"

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, the member for incomplete documents once again accuses the Prime Minister of hiding. In fact, we have every possible tool one could imagine: a wide open public process, a public accounts committee investigation, and an unprecedented release of information.

The Prime Minister has said and we have said we have undertaken that as the committee requests information, it will be made available. I am not sure what the problem is.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister claims he wants to get to the bottom of the sponsorship scandal and wants total transparency. Now, when asked to make the minutes of the Groupaction presentation to cabinet public, he tells us he will wait and see whether the committee asks him to do so. We know very well that this committee has a majority Liberal membership. That is the reality.

I am asking the Prime Minister whether he ought not to show some leadership, set an example and state today that he will release the minutes, that he will tell us which ministers were present and that he will ask the committee to indicate that it needs these documents. That would be showing some leadership and transparency.

**Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.):** Mr. Speaker, to my knowledge, this is the first time in the history of our Parliament that cabinet documents have been made available to a parliamentary committee. A commitment had been made to provide the parliamentary committee with documents relating to allegations made by the Auditor General in her report. If anything else is required, let the committee pass a motion to that effect. The Prime Minister said so just moments ago.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, with all his talk of democratic deficit, the Prime Minister ought to answer us himself, and show some leadership.

I am asking him once again. Should he not rise and say that it is indeed important for this to be made public, that it is important to know which ministers were there, and thus send the message to the committee that we will get to the bottom of this matter? Let him stand up and say, "Yes, I want this made public". That is what we are asking him to do.

*Oral Questions*

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, is it possible that the leader of the Bloc Québécois does not understand the meaning of the word yes? I have just said that, if the committee wants this, certainly the Liberals are willing and have moreover already demonstrated their willingness. It will be done. So yes means yes.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, this side of the House has already seen that yes can really mean no.

The Prime Minister defended himself, in the sponsorship scandal, by stating that he had asked each of his ministers if they were aware of anything and that he was satisfied with their answer.

Now that we know that one member of his cabinet did defend the sponsorship firms and therefore knew, can the Prime Minister tell us, since the suspicions concern the President of the Privy Council, if he met with him to ask him again if he remembered—

**The Speaker:** The hon. Leader of the Government in the House of Commons.

**Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.):** Mr. Speaker, it is important to point out that we have often seen the party opposite say no when it really meant yes. So, they are in no position to lecture anyone.

With regard to the committee, there is a very simple way to proceed. A commission of inquiry was established and a parliamentary committee is working on this. This is extremely simple. Everything is out in the open. They should simply make sure that they put the facts on the table, if they have any.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, I do not want to offend the government House leader, but the Prime Minister himself said that he would leave no stone unturned in order to find out what happened in the sponsorship scandal. However, there are seven stones in his garden. Seven ministers were at a meeting, one of whom defended the sponsorship firms.

I am asking this of the Prime Minister. If he is serious in saying he will leave no stone unturned, will he meet with the seven ministers, three of whom are still in cabinet, to find out if the individual in question might not be the person sitting next to him?

• (1430)

**Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.):** Mr. Speaker, the stones will be turned by the Standing Committee on Public Accounts, the independent commission of inquiry and the legal counsel responsible for recovering funds, if need be. Measures were also taken by Treasury Board to improve the situation and the way things are being managed.

My colleague opposite is afraid of offending me. I am sorry but I am going to start feeling that way today about this situation. That accusation is quite ridiculous and unfounded, in my opinion.

\* \* \*

[English]

**FOREIGN AID**

**Hon. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, today the moderator of the United Church, the Reverend Peter Short,

led a prayer service in front of Parliament in which he echoed the call of Secretary-General Kofi Annan for Canada to do more. He specifically urged that Canada meet the goal of raising our official development assistance to .7% of gross national income.

I want to ask the Prime Minister while he is in the mood for just saying yes, will he say yes to this particular request? Can he tell the House today whether the upcoming budget will include in it the money to meet this particular goal?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, obviously I am not in a position to comment on what will be in the budget, but the fact is I found it very interesting that on the one hand the secretary-general complimented Canada for what it was doing, complimented us in terms of what we are doing in Haiti, and complimented us for what we are doing in Africa and certainly for what we are doing in terms of HIV-AIDS.

He also challenged us. I think that is a challenge which we as a country have to be prepared to take. There is no doubt that Canadians want to see us exercise a stronger role in the world. It is one that we intend to take.

**Hon. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, indeed the secretary-general did challenge the country to do more and I am asking the Prime Minister today: Will he make a commitment today that in the budget there will be the funds to meet that long sought, never reached goal of .7% of gross national income for overseas development assistance?

Maybe he could tell us while he is at it and receiving all that praise from the secretary-general, did he explain to him why he cut so much money from that budget in the first place?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, the hon. member will know if he takes a look that in fact over the course of the last three to four budgets there have been substantial increases in our foreign aid.

I also think there is a time when we as Canadians can be very proud and I must say I have rarely felt as proud of my country as I did with the huge amount of applause that was given to the six people who were introduced in the House and to the great contributions we are making as a country.

\* \* \*

**SPONSORSHIP PROGRAM**

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, in a recent interview, the Treasury Board president stated that the present Prime Minister knew for years that financial controls had broken down and that federal programs were rife with problems and abuse.

No one believes that this Prime Minister was powerless to do anything about the problem. Why did he choose to do nothing as Liberal advertising firms were looting the Treasury?



*Oral Questions*

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, the hon. member had to reach really far that time. In 1994 in my maiden speech in the House, I spoke about the problem with government having to adapt new systems to modernize management. The current Prime Minister was the person who expressed an interest in that and we had many good discussions about the theory and practice of changing government, theory and practice that he has put into reality with the change at the Treasury Board.

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, for 10 years that minister was speaking about the problem. This Prime Minister did nothing about the problem. Why did he do nothing?

His job was to ensure that the proper controls were in place. In fact, he publicly assured Canadians that those controls were in place. Now we know, in fact, that those rules were broken and that the financial controls had broken down. Why should Canadians take the Prime Minister's word that he is going to do something about this after sitting on the problem for 10 years?

• (1435)

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, I think there is a very simple answer to that question. When the current Prime Minister became finance minister he had a very tough job to do then, and he worked exceptionally hard at it, at getting us out of the deficit. It was a tough job. He did it. He has a new tough job and he is doing it.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC):** Mr. Speaker, I will concede to the minister that it is a tough job laundering money back to the Liberal Party. The Prime Minister—

**Some hon. members:** Oh, oh.

**The Speaker:** The hon. member for Port Moody—Coquitlam—Port Coquitlam knows better than to suggest that some member is money laundering. If the term is used in relation to a whole crowd of people, he might get away with it, but as for suggesting that some hon. members here are, I know he thinks it is beyond the bounds and he would not want to go that far. Perhaps he could rephrase his question.

**Mr. James Moore:** Mr. Speaker, we are all assured the money will be repaid, so when that happens everything will be straight.

The Prime Minister has said that he asked all of his cabinet colleagues whether or not they knew about the ad scam: the Deputy Prime Minister, the current finance minister, the environment minister, all members of this cabinet communications committee. Why did the Prime Minister hide, deny and cover up what he knew about the ad scam?

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I can hardly imagine how anyone could suggest that anyone on this side of the House is hiding anything when we have the most extraordinary list of processes to bring light to this subject: the public inquiry, public accounts, RCMP investigations, and a special counsel to recover funds. Nothing could be more open. There is also the tabling of cabinet documents. If the public inquiry wants any confidential cabinet documents related to

this issue, the Prime Minister has said that we will produce them. Nothing could be more open.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC):** Mr. Speaker, the minister says he can hardly understand. I would invite him to talk to Denis Desautels and I would invite him to talk to Sheila Fraser and perhaps read the report, and maybe he will understand why Canadians do not believe that the government is cleaning up its messes.

The minister also says that the government has nothing to hide. Then why is it that the Prime Minister says to pass a motion, that we will get the information if we pass a motion?

We want leadership from the Prime Minister in being fully open. We want him to go the extra mile and be fully open with all the information rather than hiding it. Why is the Prime Minister failing to show that leadership?

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I am sure the hon. member is not suggesting that good governance can take place with throwing the doors open to cabinet documents without properly defining them on this issue.

On this issue, the public accounts committee passed a motion asking for specific documents and they have been tabled; ask for other documents related to the Auditor General's report on these subjects and they will be made available. If there is a request from the public inquiry for any documents, the Prime Minister has said they will be made available.

\* \* \*

[*Translation*]

**EMPLOYMENT INSURANCE**

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, fishers have had to deal with reduced quotas and a moratorium, and, because of this government's incompetence, they were kept in the dark about specific employment insurance programs that were meant for them.

How does the government explain its negligence in denying several hundred fishers from the North Shore benefits they desperately needed?

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, it is not a matter of denying workers money they are owed. I answered a similar question yesterday. Necessary measures have been taken to ensure that those whose benefits were cut or those who did not receive the benefits they were entitled to did in fact receive them. Measures have already been taken to give them what they were owed.

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, it was in 1997, 1998 and 1999 that they needed it the most. Hundreds of families suffered extreme losses, while the Bloc Québécois alerted the government many times about the desperate situation of North Shore fishers.

Does the minister realize that the government's decision to centralize in Ottawa a program designed for the regions caused serious hardship to hundreds of fishers and their families?

*Oral Questions*

•(1440)

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, we are always aware of life's difficulties. In this case, there was a problem and it was corrected. We are currently implementing measures to prevent similar problems in the future. What exactly is the problem the member wishes to address? Everything has been corrected.

**Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ):** Mr. Speaker, by taking billions of dollars from the employment insurance fund, the federal government has significantly reduced benefits and forced many seasonal workers to face the spring gap.

How can the Prime Minister remain indifferent to the spring gap that is affecting seasonal workers in the regions when, on June 11, in Baie-Saint-Paul, he solemnly pledged to the Sans-Chemise coalition that he would deal with this issue when he became Prime Minister?

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, as we indicated in the past, some programs are already in place to deal with issues such as the one that the hon. member just raised.

Also, I would like to point out to the hon. member that regional authorities, provincial authorities and the partners involved in the labour market are trying to find the necessary long term solutions.

**Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ):** Mr. Speaker, in February, on the French CBC program *Le Point*, the Prime Minister said, in reply to a Tadoussac resident, Marc Loiselle, who is a seasonal worker affected by the spring gap, that the employment insurance reform had been completed.

How can the Prime Minister state that the reform has been completed, considering that he has taken billions of dollars from the employment insurance fund, thus forcing thousands of seasonal workers to face the spring gap?

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, nothing could be further from the truth. We already have in place many funds to help seasonal workers.

I would like to point out to the hon. member that, every year, we put more than \$600 million at the disposal of the provincial government to help seasonal workers and others in specific communities and specific industries.

\* \* \*

[English]

**SPONSORSHIP PROGRAM**

**Mr. Gerald Keddy (South Shore, CPC):** Mr. Speaker, six years ago public works wrote a cheque for \$2.3 million for the Bluenose. Yesterday, the Minister of Public Works stated that they were in litigation with Lafleur Communications who received the \$2.3 million. Public works knew this money disappeared and did nothing until it was caught this past weekend.

Why did the minister take six years to take legal action?

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the government became aware from the Bluenose foundation over these past few days that there was money apparently allocated for it that it did not receive.

I have spoken with the chairman of the Bluenose trust this morning and requested that he bring all information forward, both to the RCMP and to the public inquiry, and to us, so we can follow through on the concerns that have been raised.

That is true of every other situation where money allocated for some reason did not seem to have been fully received. So I put it to all people who are in this situation, bring the information forward.

**Mr. Gerald Keddy (South Shore, CPC):** Mr. Speaker, all you had to do was look in your own department. The media has—

**The Speaker:** Order, please. I do not have a department. The hon. member will want to address his remarks through the Chair.

The hon. member for South Shore has the floor. It would be helpful if there was one question instead of 20 and when the minister is answering, it is helpful if it is a little quiet.

•(1445)

**Mr. Gerald Keddy:** Mr. Speaker, the media has printed that CCRA records filed by the Bluenose trust in 1997-98 claimed only \$294,000 in income, yet public works shows three separate Bluenose contracts for \$2.3 million, \$245,000 and \$278,000.

How can the Minister of Public Works justify these discrepancies, or does he just look the other way when high profile Liberals are involved?

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, far from looking the other way, I phoned the president of the Bluenose trust this morning to discuss with him the concerns that he has raised. We are looking into it. We are not hiding anything.

In fact, nothing could be more open than this ministry in terms of dealing with these types of problems. So, if anyone has information which suggests impropriety or allocated funds that were not received they should bring it forward and we will deal with it.

[Translation]

**Mr. Rahim Jaffer (Edmonton—Strathcona, CPC):** Mr. Speaker, the President of Bluenose has indicated that \$2 million may have disappeared out of the \$3 million or more allocated to the Bluenose corporation.

Eighteen criminal investigations are ongoing, but none of them is looking into the role of Lafleur Communications in the Bluenose contracts.

Can the minister explain what it is that justifies investigation in other cases, but not in the case of the Bluenose contracts?

*Oral Questions*

[English]

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, in fact, I have suggested to the chair of the Bluenose trust that information of misappropriated funds should be brought to the attention of the RCMP, to the inquiry that has been set up, and to us as well. We are awaiting those details. This issue has just arisen.

**Mr. Rahim Jaffer (Edmonton—Strathcona, CPC):** Mr. Speaker, in 1997-98, when the Bluenose contract was issued, only prominent Liberals had access to the Liberal slush fund—a prominent Liberal such as Senator Moore, chair of the Bluenose trust foundation.

Is the real reason that the Bluenose contract is not under criminal investigation because it involves prominent Liberals, such as this senator?

**Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I am not sure, but I think I may have heard the hon. member make an accusation of perhaps criminal conduct against a member from the other place.

If he has any evidence of such misconduct, he should bring it forward to the RCMP who are investigating anything to do with these matters. That is what we are doing. That is what the Auditor General has done. That is what the hon. member should do.

\* \* \*

[Translation]

**RESEARCH AND DEVELOPMENT**

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, my question is for the Minister of Industry.

What is the government doing to ensure that Canadian universities have the means to attract and retain the best researchers and the most gifted students in order to train the highly qualified labour force that our economy needs so much?

**Hon. Lucienne Robillard (Minister of Industry and Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec, Lib.):** Mr. Speaker, our government has made huge investments in research in recent years. Yesterday, the Canadian Foundation for Innovation announced more than \$580 million in 126 projects for 57 universities across the country.

From Okanagan University College in Kelowna to Memorial University of Newfoundland, by way of the Cégep de Saint-Hyacinthe and the Université du Québec en Abitibi-Témiscamingue, these investments in research will contribute to the economic and social development of all Canadians.

\* \* \*

[English]

**FOREIGN AFFAIRS**

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, this morning the Prime Minister urged the House to pass Bill C-9 to get generic drugs to developing countries.

Why then does he urge the House to pass a bill that would prevent at least 18 UN member states from accessing those drugs? Why is the government preventing countries like Vietnam, Algeria, Iran and

Iraq from dealing with the health emergencies in their countries, such as HIV-AIDS, tuberculosis and malaria?

Will the Prime Minister commit to changing the bill and help all developing countries of the world access cheaper drugs and generic medications? What does he have against those UN member nation states?

**Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.):** Mr. Speaker, we were very proud as a country to be the first Parliament to follow up on the great WTO decision in August 2003. Canada was a leading country in this area. We were thanked by Secretary-General Kofi Annan this morning in this very House.

The WTO waiver does not waive all of our international obligations. We will respect our other international obligations. Where we can help, such as on AIDS, malaria, tuberculosis, we will be there.

● (1450)

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, that is not what we have heard from many delegations and testimonials, and many experts at the industry committee. The Prime Minister is asking the House to pass this bill and he is passing the buck.

My question is for the Prime Minister. If a nation needs the drugs, it should be able to access the drugs. The bottom line is that many developing countries will not have access to the medications they desperately need. The Prime Minister praised Kofi Annan this morning for his work in East Timor. However, the ultimate irony is that, under this government proposed program, East Timor will not have access.

Will the Prime Minister explain this to the UN Secretary-General? Has he no shame?

[Translation]

**Hon. Lucienne Robillard (Minister of Industry and Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec, Lib.):** Mr. Speaker, on the contrary, we are very proud of having introduced this bill.

At present, I know that my fellow parliamentarians are working to improve this bill and improve access to medication for the least developed countries of the world. That is Canada's goal on the international scene. We want to lead the way for other countries.

I hope that all parliamentarians will help us improve this bill and that it will be passed as quickly as possible.

\* \* \*

[English]

**SPONSORSHIP PROGRAM**

**Mr. Monte Solberg (Medicine Hat, CPC):** Mr. Speaker, I want to quote the Prime Minister from February 18 in *Hansard*. He said:

*Oral Questions*

Mr. Speaker, earlier in question period I was asked by the Leader of the Opposition if the pertinent cabinet documents could be made available. I said yes. He then followed up with a request that the pertinent Treasury Board documents, and I believe the communications committee documents, be made available.

I am glad to confirm that they will.

If the Prime Minister is a man of his word, will he follow through with his commitment in the House and produce those documents as he said he would?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, the hon. member may not understand the importance of due process. Due process is that the committee will make a motion. If the committee would like to make a motion and ask for that documentation, as long as it is in conformity with the Auditor General's report, then for heaven's sake, the documents will be provided.

**Mr. Monte Solberg (Medicine Hat, CPC):** Mr. Speaker, what about the Prime Minister's word? Does that not mean anything? We would like to know if the Prime Minister's word means anything when he makes a commitment in the House.

Obviously, when he stands up and tells everybody that he wants to be transparent, that he wants to be open, that he wants to hide nothing, we fully expect when he makes a commitment to produce documents he will do it. Where are they?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, what is it the hon. member does not understand about yes?

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, what we do not understand is that he said yes three weeks ago and that yes turned out to be a no.

Why did the Prime Minister give his word and then break it? Why did he say that the documents would be made available and "I am glad to confirm that they will", when they have not been made available? How can we trust the Prime Minister?

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, the Prime Minister, in response to this issue, has created not only the most open process ever seen in the House, but he has released an unprecedented number of documents in response to specific requests from the committee. He has done it. He has said he will do it again. All the committee has to do is ask.

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, we want a response from the captain of the ship, not the cabin boy.

These are the ministers who were at the cabinet communications meeting—

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. Regardless of who we are getting, we are going to get a question, but we cannot unless we have a little order. The hon. member for Calgary Southeast might perhaps want to proceed a little more directly to his question without the stuff that causes the disorder.

**Mr. Jason Kenney:** Mr. Speaker, there were four ministers of the current cabinet who attended meetings of the cabinet communications committee: the Deputy Prime Minister, the finance minister, the environment minister, and the infrastructure minister. They were all part of that committee chaired by Alfonso Gagliano, who is at the centre of the scandal.

Did any of these ministers attend any of the critical meetings that led to the cover-up of the sponsorship file?

• (1455)

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, just two quick points.

Mr. Gagliano is appearing before the committee next week. The member will be able to ask him any question he wants.

As for being the cabin boy, it is an honour to be a cabin boy on a ship captained by the Prime Minister.

\* \* \*

[Translation]

**INTERNATIONAL AID**

**Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ):** Mr. Speaker, today the Prime Minister is welcoming the Secretary General of the United Nations. It is interesting to note—

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. The hon. member for Verchères—Les-Patriotes has the floor, and we must be able to hear his question. He may start his question over.

**Mr. Stéphane Bergeron:** Mr. Speaker, today the Prime Minister is welcoming the Secretary General of the United Nations. It is interesting to note that the amount Canada devotes to international aid keeps dropping year after year. Lester B. Pearson set the objective for international aid at .7 % of GDP. In the time of the Conservatives, the percentage was around .45% of GDP. Since the Liberals took office, the percentage has been almost halved.

How can the Prime Minister explain that, during his watch as finance minister, Canada's international aid spending was reduced by half?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, it is obvious that our aid spending has done nothing but increase over the past two years. The Prime Minister has already said so. It has increased since the conference in Monterrey and will double over the next five years.

This Prime Minister has promised the House and the people of Canada that this government will be more active on the international scene. This will include adopting a smart approach and targeting aid to those countries that need Canada's help. We are there for them and we will do even more for them in the future.

**Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ):** Mr. Speaker, when an amount is cut in half, and then a bit is added to it, that is insignificant. Moreover, the \$25 million announced today by the Prime Minister represents a mere three one-thousandths of 1% of the objective. The target is .7%. Now, thanks to the Prime Minister's efforts, the reality is that we are still only halfway there.

How can the Prime Minister strut about before the international community with all his talk about concern for foreign aid when, during his 10 years as Minister of Finance, he merrily cut back the resources earmarked for international aid?

*Oral Questions***IMMIGRATION**

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, there is a Canadian presence in Afghanistan. Canada is prepared to help rebuild Iraq. Canada is helping Haiti through these troubled times. Canada helped deliver aid to Africa.

Canada continues to be active throughout the world. As far as the environment, health, welfare and good governance are concerned, we have an excellent record, in my opinion, but we are going to improve that record in the future.

\* \* \*

[English]

**NATIONAL DEFENCE**

**Mr. Bill Casey (Cumberland—Colchester, CPC):** Mr. Speaker, it might have been great to be a cabin boy on that ship, but I will say one thing, it is not great to be a cabin boy on the HMCS *Victoria*, the submarine that went from Halifax to British Columbia, because access to information reports say that the temperatures went up to 150°. The captain was scared the shells were going to self-ignite; they were moving them from one compartment to another.

We bought these boats six years ago and not one of them works. Two are tied up; two are in dry dock. When will the minister stop wasting time, money and the reputation of the Canadian navy and do what it takes to get these boats working?

**Hon. David Pratt (Minister of National Defence, Lib.):** Mr. Speaker, it is important for the hon. member to keep in mind that the submarines that were purchased from the British by the Canadian navy were purchased at a cost of approximately a quarter of their value, with 80% of the operational life of the submarine.

As well, I would like to advise the hon. member that temperatures in engine rooms do get very hot, whether it is in submarines or in surface ships. However, they are fully automated and there is no need for any crew member to spend a prolonged period of time in those particular engine rooms.

**Mr. Bill Casey (Cumberland—Colchester, CPC):** Mr. Speaker, the minister should go to the Halifax shipyard and talk to the people who were on the boat. They had to run into the engine room, do the work and run back out again before they got burned.

Not only that, we have had these boats for six years. We have four submarine crews that have not had a place to go to work for six years. It is a waste of money. When is the government going to give the taxpayers value for their money and get these boats working?

• (1500)

**Hon. David Pratt (Minister of National Defence, Lib.):** Mr. Speaker, the taxpayers are getting incredible value for their dollar with these submarines.

The hon. member has to keep in mind as well that the prolonged period for which there has been no service from these submarines was a result of the reactivation period which took place in the United Kingdom. The Canadianization of these submarines is proceeding quite nicely. We expect to have the first submarine operational in the fall of 2004 with the rest to follow shortly after.

**Hon. Elinor Caplan (Thornhill, Lib.):** Mr. Speaker, my question is for the Minister of Public Safety and Emergency Preparedness.

The Canada-U.S. 30-point smart border plan included a provision for a safe third country agreement. As the minister knows, up to 60% of refugee claimants arriving in Canada come from the United States, which is a Geneva signator country and offers safety to refugees in need.

I would ask the minister today if she could tell us if the safe third country agreement has been implemented.

**Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, the hon. member has asked a very important question. As she well knows, because she signed the safe third country agreement with her U.S. counterpart, it is very important for us, with the United States, to ensure that we are able to deal with refugee claimants along our common land border in an efficient and fair way.

I am very pleased to inform the House that not only has Canada issued its draft regulations under the safe third agreement, but yesterday the United States of America issued its draft regulations for comment. We are very hopeful that this agreement will be implemented in the very near future.

\* \* \*

**SPONSORSHIP PROGRAM**

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, today in the House we have stood and asked the Prime Minister to disclose the documents of the cabinet meeting back in July. He does not seem to want to disclose them to Parliament although he said maybe if the committee comes, he will later disclose them.

Will he come today to Parliament and disclose and bring forward those documents from that cabinet meeting?

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, that is the same group that every time there is a problem wants an instant solution. That is the same group that finds people guilty before there is any evidence. That is the same group that rushes to judgment.

Each time we have put in place processes that are clear, open and responsible. If we get the request, the Prime Minister has committed, as he has in the past, to deliver the information.

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, my question for the Prime Minister is, will he come to Parliament today and disclose to us the names of the cabinet ministers, not the documents, the names of the cabinet ministers who appeared with Groupaction in 1998, that came to their meeting? Will he tell us which ministers were there?

*Points of Order*

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, we have a judge, we have an open inquiry, we have the public accounts committee, a second kind of inquiry. Does the member want to substitute another process? The reality is they have the responsibility to ask. They have the ability to answer. They have the ability to call witnesses. If they want this information, they will get it.

\* \* \*

[Translation]

**IMMIGRATION**

**Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ):** Mr. Speaker, on March 5, and this is unprecedented, the Quebec City police force arrested Mohamed Cherfi in a church, thus violating a place of worship and refuge, to help deport him quickly to the United States, where he could be deported to Algeria, a measure that would pose serious risks to his safety, considering the situation that prevails in that country.

How can the Minister of Public Safety justify the eagerness of Immigration Canada services to deport Mohamed Cherfi to the United States, when it is obvious that only a humanitarian solution is in order, namely to bring Mohamed Cherfi back to Canada at the earliest opportunity?

[English]

**Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I would hope that the hon. member knows that there must be respect for our refugee laws in this country.

In fact I want to correct the implication by the hon. member in relation to what happened in that church in Quebec City. The Quebec City police went into that church under a separate warrant that had nothing to do with Mr. Cherfi's immigration status. They went into that church in relation to a separate criminal matter and they executed a warrant that had nothing to do with his immigration status.

\* \* \*

● (1505)

**STATUS OF WOMEN**

**Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, given the visit of the Secretary-General of the United Nations to Canada during International Women's Week, and given that Mr. Annan focused precisely on the issue of HIV-AIDS, I would ask the Minister of State for the Status of Women to tell us and Canadians about federal initiatives to address this issue, particularly as it pertains to women.

**Hon. Jean Augustine (Minister of State (Multiculturalism and Status of Women), Lib.):** Mr. Speaker, I was very pleased, as was the rest of the House, to participate today with the Secretary-General and also later on to attend a luncheon with Mrs. Annan. That luncheon was organized by the United Nations Association where the topic was women and HIV-AIDS.

Status of Women Canada is involved in several initiatives around the issue of women and HIV-AIDS. There is a program in the city of

Montreal. There is a program in Toronto. There are programs around the country involving women and HIV-AIDS.

\* \* \*

**ABORIGINAL AFFAIRS**

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.):** Mr. Speaker, government statistics reveal that Indians make up a disproportionate number of prison inmates because they commit a disproportionate amount of crime. In Saskatoon their crime rate is more than 10 times that of non-Indians.

To make matters worse, the Criminal Code orders judges to give lenient sentences to Indian criminals. Just like Chrétien's regime, the government is also refusing to scrap the racist two-tier sentencing scheme that gives Indian criminals a get out of jail card. Why?

**Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I reject the implication in the question about a racist two-tier sentencing scheme.

\* \* \*

**POINTS OF ORDER****SPONSORSHIP PROGRAM**

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, I rise to respond by way of a follow-up to my point of order of February 27 and a subsequent response from the deputy government House leader.

The Prime Minister has stated both in the House and elsewhere that all elements of the sponsorship program would be made public. The member for Abitibi—Baie-James—Nunavik in June 2003 asked for the list of sponsorship projects from 2000 to 2003. That point is not in dispute.

The government, when it tabled its response on February 18, decided to include some of the projects from the fiscal year 2003-04. The list tabled on February 18 is incomplete. What we in the official opposition are asking for is the complete list of sponsorship projects.

We trusted the government at its word when the deputy government House leader said it covers the year in question, but providing a partial list is misleading. As a result, hon. members have no way of knowing what list the Prime Minister was reading from.

If the government is sincere when it says it wants to distance itself from Mr. Chrétien and Mr. Gagliano and the sponsorship scandal, it will quit playing word games and table the complete funded sponsorship program list.

No more cover-ups from the Prime Minister. Parliament and the Canadian public have a right to know how the taxpayers' dollars are spent.

**Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the matter which we addressed yesterday is quite a straightforward one. The member is asking for a document that the President of the Treasury Board was quoting from. That document was tabled and the opposition questioned the document in question.

The document that was quoted was indeed the response tabled by the government in the House in response to a question from the member for Abitibi—Baie-James—Nunavik and that is the document which was quoted in the House and we tabled.

As far as the completeness of answers, those can be found in all the public accounts reports that are tabled and available to all members of the House and indeed to all Canadians.

**The Speaker:** It sounds as though we are getting into a debate here. The hon. member for Renfrew—Nipissing—Pembroke wanted a document tabled the other day. When the minister answered the question in the House yesterday, I believe it was, on a point of order, he indicated the document quoted from was the answer that had been given to a question posed by the hon. member for Abitibi—Baie-James—Nunavik. He offered to table an additional copy of the answer to the question which had been the document quoted from.

It seems to me what the hon. member for Renfrew—Nipissing—Pembroke now is demanding is more information. I think she is free to ask it as a question in the House, but to expect the government to table copies of all documents on any matter that are not required to be tabled in the House is not a point of order.

It seems to me that the hon. member is getting into an argument with the deputy government House leader. I would suggest the two of them sit down, have a run through the document and if the hon. member wants something else, and the hon. minister is prepared to make it available to her, either by tabling or by delivering it to her, that is a matter between the hon. members. I would recommend they follow that course for the time being.

I do not believe it is a matter for dispute with the Chair because no one is suggesting that the answer to the question was not the document being quoted. That is the end of the matter as far as the Chair is concerned.

The hon. member for Medicine Hat on a point of order.

● (1510)

**Mr. Monte Solberg:** Mr. Speaker, during question period there were a number of questions asked in the House about the famous schooner the *Bluenose*. During question period the President of the Treasury Board in response to another query made it very clear that he was actually the captain of the brown nose and I just wanted that noted for the record.

**The Speaker:** I did not hear that, but the hon. member I guess is making his point of order and that is that.

The hon. government House leader.

\* \* \*

[Translation]

## PRIVILEGE

### ORDER IN COUNCIL APPOINTMENTS

**Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.):** Mr. Speaker, yesterday, the right hon. member for Calgary Centre pointed out that the government had not tabled the appointments published in the *Canada Gazette*, as prescribed under Standing Order 110.

## Privilege

I wish to thank the right hon. member for Calgary Centre for bringing this issue to the attention of the House. I am pleased to inform the House that those orders in council will be tabled in the House today, pursuant to Standing Order 110. These orders in council relate to the appointments made between October 28, 2003 and February 27, 2004.

I regret that this obligation was not fulfilled. However, I wish to remind hon. members that all this information was published in the *Canada Gazette*. I also wish to inform the House that the internal follow-up procedure has been tightened up to avoid a repeat of this situation.

[English]

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, I appreciate that action by the government, and I will accept the word of the government House leader that this was an administrative error only.

However, I think there remains a question for the Chair to consider because the Standing Orders in question are very clear. They require the tabling of those orders in council within five sitting days after their publication in the *Canada Gazette*. That did not happen.

Some of the appointments with regard to which it did not happen were very important appointments. They had to do not simply with the nomination of individuals. They had to do with, in at least two cases, major changes in the structure and operation of the Government of Canada: in one case, the establishment of a secretariat responsible for Canada-U.S. relations; and in the other case, the creation of a brand new office, a special adviser on security matters to the Prime Minister.

The latter is particularly important because there had been commitments made by the Prime Minister with respect to opening up the intelligence and security operations of Canada to parliamentarians. Instead of doing that, what the government was doing, until it was caught, until I raised the issue, was effecting changes with regard to security and intelligence within the government without effecting changes that would allow the House of Commons or the other place to examine those security and intelligence operations in the way the Prime Minister had promised would occur.

Not to prolong this, I think there remains a question, without opening the validity of the House leader's reference to administrative error, as to whether the privileges and the rights of this House were abused by the repeated failure of the Government of Canada to follow an order given by this House and spelled out in Standing Order 110(1).

● (1515)

**The Speaker:** I thank both the government House leader and the right hon. member for Calgary Centre for their submissions on this point.

The right hon. member for Calgary Centre yesterday raised this point of order, and I will again quote to the House Standing Order 110(1):

### *Routine Proceedings*

A Minister of the Crown shall lay upon the Table a certified copy of an Order in Council, stating that a certain individual has been appointed to a certain non-judicial post, not later than five sitting days after the Order in Council is published in the *Canada Gazette*. The same shall be deemed to have been referred to a standing committee specified at the time of tabling, pursuant to Standing Order 32(6), for its consideration during a period not exceeding thirty sitting days.

Now the right hon. member for Calgary Centre has pointed out that in fact these order in council appointments have been tabled late.

[*Translation*]

The government House leader indicated that this was an accident and that the problem has now been corrected.

[*English*]

What I am prepared to do, and I think is reasonable in the circumstances based on the submissions of the right hon. member, is order that the 30 sitting days will start today, from the date of the tabling, not from the date they should have been tabled, if that argument should arise. Accordingly, there are now 30 sitting days for the committees involved in the appointments that have been tabled today by the government House leader to study the matter as they would have been able to do had they been tabled on time.

I quite agree with the right hon. gentleman that this was a breach of our Standing Orders. He indicated that yesterday, and I agree with him. In the circumstances, he I think is inclined, as I am, to accept the apology of the government House leader.

[*Translation*]

We can now move on to the review of these appointments in committee for the period provided under the rules of the House. I believe that this matter is now closed. If there are problems with the committee review, I am sure the right hon. member for Calgary Centre will let me know.

\* \* \*

### WAYS AND MEANS

#### NOTICE OF MOTION

**Hon. Denis Paradis (Minister of State (Financial Institutions), Lib.):** Mr. Speaker, pursuant to Standing Order 83(1) I have the honour to table a notice of ways and means motion to amend the Excise Tax Act. I ask that you designate an Order of the Day for the consideration of the said motion.

---

## ROUTINE PROCEEDINGS

[*English*]

### ORDER IN COUNCIL APPOINTMENTS

**Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.):** Mr. Speaker, I am pleased to table, in both official languages, a number of Order in Council appointments made recently by the government.

Pursuant to the provisions of Standing Order 110(1) these are deemed referred to the appropriate standing committees, a list of which is attached.

## COMMITTEES OF THE HOUSE

### AGRICULTURE AND AGRI-FOOD

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, I have the privilege to present to the House, in both official languages, the first report of the Standing Committee on Agriculture and Agri-Food in accordance with its order of reference of Thursday, February 19, 2004.

The committee has considered votes 1b, 5b, 10b, 30b and 35b under agriculture and agri-food in the supplementary estimates (B) for the fiscal year ending March 31, 2004, and reports the same.

\* \* \*

### CARRIE'S GUARDIAN ANGEL LAW

**Mr. Art Hanger (Calgary Northeast, CPC)** moved for leave to introduce Bill C-489, an act to amend the Criminal Code (dangerous child sexual predators).

He said: Mr. Speaker, I am pleased to reintroduce this private member's bill, entitled Carrie's guardian angel law.

The purpose of the bill is to ensure that the fullest force of the law is brought to bear on violent sexual predators. It carries a minimum sentence of life imprisonment in cases of sexual assault on a child that also involve repeated assaults, multiple victims, repeat offences, more than one offender, an element of confinement or kidnapping for an offender who is in a position of trust with respect to the child.

Under the provisions of the bill, an offender would be ineligible for parole for 20 years and ineligible for day parole or unescorted absence for 17 years.

I urge all members to support the bill.

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

\* \* \*

● (1520)

### CRIMINAL CODE

**Mr. Art Hanger (Calgary Northeast, CPC)** moved for leave to introduce Bill C-490, an act to amend the Criminal Code (prohibited sexual acts).

He said: Mr. Speaker, I pleased to reintroduce my private member's bill which seeks to raise the age of sexual consent from age 14 to age 16.

Parents across the country are usually shocked to discover that the legal age of sexual consent in Canada is only 14, which by the way is the lowest in the western world.

In this country a 14 year old is not allowed to vote, drive, consume alcohol or for that matter, smoke, yet the laws allow for that 14 year old to legally consent to sexual relations. The age of consent is too low. I believe that by raising the age of consent to 16, it will help protect our children from sexual exploitation.

I therefore appeal to the member of the House to support the legislation.



*Routine Proceedings*

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

\* \* \*

**INJURED MILITARY MEMBERS COMPENSATION ACT**

**Mr. Art Hanger (Calgary Northeast, CPC)** moved for leave to introduce Bill C-491, an act to amend the Injured Military Members Compensation Act.

He said: Mr. Speaker, the bill seeks to amend the short title of the Injured Military Members Compensation Act to add a reference to Major (Retired) Bruce Henwood, who fought tirelessly for changes to the Canadian Forces insurance plan.

Thanks to Major Bruce Henwood's unrelenting efforts, regular and reserve members of the Canadian Forces, regardless of rank, are now covered for accidental dismemberment while in the line of duty.

I believe inserting his name in the short title of the act, would be a fitting tribute to Major Henwood for his work on behalf of all our soldiers.

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

\* \* \*

**YOUTH CRIMINAL JUSTICE ACT**

**Mr. Gary Lunn (Saanich—Gulf Islands, CPC)** moved for leave to introduce Bill C-492, an act to amend the Youth Criminal Justice Act (home invasion offence).

He said: Mr. Speaker, I am pleased to introduce my private member's bill to amend the Youth Criminal Justice Act. This bill would do a few things.

First, on the first offence of a home invasion for young offenders, subject to all the penalties, they would have to serve mandatory probation for a minimum of one year, until they are 18, and there would also be a mandatory curfew for that time. On a second offence, they would have a minimum sentence in a youth detention centre of 30 days in addition to any other punishment.

The second part of the bill deals with the custodial parents. When they sign an undertaking to supervise those probation terms and if they are aware of a breach, they must report that breach to the authorities. Failure to report that breach would result in a summary offence punishable by \$2,000 or six months in jail.

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

\* \* \*

[*Translation*]

**PETITIONS**

## HIV-AIDS

**Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ):** Mr. Speaker, I am pleased to table two series of petitions that are quite thick.

These signatures of hope are part of the United Church of Canada campaign to do more for AIDS, particularly with respect to education and investing in fighting this terrible disease.

● (1525)

[*English*]

## MARRIAGE

**Mr. Darrel Stinson (Okanagan—Shuswap, CPC):** Mr. Speaker, I am pleased to present a petition with signatures collected by the Evangelical Fellowship of Canada addressing the issue of marriage. The petitioners state that the best foundation for families in the raising of children is the institution of marriage that is the union of a man and a woman.

They call upon Parliament to uphold the commitment made in June 1999 to ensure that marriage be recognized as the union of one man and one woman to the exclusion of all others.

## HIV-AIDS

**Ms. Marlene Catterall (Ottawa West—Nepean, Lib.):** Mr. Speaker, I am pleased to join my colleague from the Bloc Québécois in presenting copies of the Signatures of Hope petitions circulated by the United Church of Canada. These petitions contain 18,000 signatures from every part of Canada.

The petitioners call upon Parliament to take action to help in the fight against HIV-AIDS by cancelling bilateral debt and urging the cancellation of multilateral debt, by increasing Canada's overseas development assistance and by doubling our own domestic HIV-AIDS strategy.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, I am pleased to table a petition today signed by thousands of Canadians as part of the United Church of Canada's Beads of Hope Campaign.

Specifically, the petition urges the government to address the global HIV-AIDS pandemic by cancelling the crippling debt burden on impoverished nations, increasing Canada's ODA to .7% GNP, increasing Canada's share of the global fund, enhancing access to essential medicines and doubling federal funding for Canada's domestic AIDS strategy.

**Mr. James Rajotte (Edmonton Southwest, CPC):** Mr. Speaker, it is also my pleasure and honour to join with colleagues from all parties to present petitions on behalf of the United Church of Canada and its Beads of Hope Campaign.

The petitioners call upon the Canadian government to cancel the burden of debt owed by developing nations that undermines their capacity to respond to the HIV-AIDS pandemic, to increase foreign aid and support for the UN global fight to fight AIDS, tuberculosis and malaria, to ensure that we can allow access by these nations to life preserving drugs and to double funding for the Canadian strategy on HIV-AIDS.

*Routine Proceedings*

## MARRIAGE

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, I have two petitions this afternoon which I want to present on behalf of petitioners from my riding.

The first has to do with the issue of marriage. These petitioners believe that marriage is the best foundation for families in the raising of children. They also believe that marriage is between a man and a woman, and because it is being challenged, this honourable House should uphold a motion passed in June of 1999 that called for marriage to continue to be recognized as the union of one man and one woman to the exclusion of all others.

They therefore pray that Parliament pass legislation to recognize the institution of marriage in federal law as being a union of one man and one woman to the exclusion of all others.

## JUSTICE

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, the second petition has to do with an issue which concerned a constituent of mine many years ago. This constituent, as we all know, is Steven Truscott. This man was charged, convicted and sentenced to hang by the neck until dead. Unusual circumstances surrounding the police investigation and the consequent conviction of Mr. Truscott remain today unanswered.

Therefore, the petitioners call upon Parliament to ask the current Minister of Justice to undertake a thorough re-examination of the case within a reasonable time period and to ensure that justice be restored to Mr. Truscott.

## LIBRARY BOOK RATES

**Mr. Gary Lunn (Saanich—Gulf Islands, CPC):** Mr. Speaker, I have two petitions I am honoured to present today. The first petition is endorsed by 1,476 constituents of Saanich—Gulf Islands.

The petitioners request that the Canadian government ensure that the Department of Canadian Heritage and Canada Post renegotiate the library book rate with no increase, to be expanded to include all materials loaned to public libraries.

In my riding there are many gulf islands and this is the only way they can get this information. I therefore would encourage the government to take up the petitioners' request. I also would like to acknowledge all the great work that Jeanette Hughes has done for this cause.

## MARRIAGE

**Mr. Gary Lunn (Saanich—Gulf Islands, CPC):** Mr. Speaker, the second petition has been certified by 151 constituents of Saanich—Gulf Islands who pray that Parliament pass legislation to recognize the institution of marriage in federal law as being the lifelong union of one man and one woman to the exclusion of all others.

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, I have the honour of presenting two petitions this afternoon. The first petition is signed by hundreds of residents from my constituency of Burnaby—Douglas, as well as other residents of British Columbia.

The petitioners note that same sex couples form loving and committed relationships but are currently denied the equal ability to

celebrate those relationships through marriage in a number of jurisdictions in Canada.

They point out that the protection of true family values requires that all families be respected equally and they note the provisions of the Canadian Charter of Rights and Freedoms guaranteeing equality of all Canadians, including gay and lesbian couples. They point out that denying same sex couples the equal right to marry reinforces attitudes of intolerance and discrimination.

They therefore call upon Parliament to enact legislation that would provide same sex couples with the equal right to marry.

• (1530)

## FOREIGN AFFAIRS

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, I have a second petition which is signed by hundreds of residents of the greater Toronto area. In particular, I want to note the work of the Worker-to-Worker Canada-Cuba Labour Solidarity Committee in assembling these signatures.

The petitioners express concern about the Helms-Burton law, which has been legislated in the United States, and concern about our own Canadian government's lack of action concerning companies in Canada that have cancelled contracts with Cuba in order to comply with U.S. pressures.

They raise serious questions about the impact on Canadian sovereignty and they call upon Parliament to defend both Cuba and Canada by prosecuting any company operating in Canada that cancels contracts with Cuba in order to comply with the Helms-Burton law.

## MARRIAGE

**Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.):** Mr. Speaker, pursuant to Standing Order 36 I wish to present several petitions on behalf of hundreds of Canadians who call upon Parliament to take whatever action is required to maintain the current definition of marriage in law in perpetuity and to prevent any court from overturning or amending that definition.

## CARLEY'S LAW

**Mr. Randy White (Langley—Abbotsford, CPC):** Mr. Speaker, I have thousands of signatures to submit to the House in support of Carley's law.

The petitioners say that whereas hit and run legislation in its current state does not provide an adequate sentence to offenders who leave the scene of an accident; and whereas an accused, who has control over the vehicle, who fails to stop at the scene of an accident should receive a minimum sentence of seven years for an accident causing death and a minimum of four years for an accident resulting in bodily harm; and whereas prosecutors should not be able to offer those accused of fleeing the scene of an accident the opportunity to plead guilty to an offence with a lesser punishment, they ask that the government vote in favour of Bill C-453, an act to amend the Criminal Code, failure to stop at the scene of an accident. This is in support of Carley's law.

## MARRIAGE

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I rise today to present petitions on the topic of the right of Parliament to determine and preserve the definition of marriage. These petitioners come from the province of Saskatchewan, many of them from my riding, and there are hundreds of signatures here.

They take note that Parliament in 1999 voted to preserve the traditional definition of marriage and a recent court decision has redefined marriage, contrary to the wishes of Parliament. Now the government wants Parliament to vote on new legislation but only after it has been approved by the Supreme Court. This is a dangerous new precedent for democracy in Canada and elected members of Parliament should decide the marriage issue, not appointed judges.

They therefore call upon Parliament to immediately hold a renewed debate on the definition of marriage and to reaffirm, as it did in 1999, its commitment to take all necessary steps to preserve marriage as the union of one man and one woman to the exclusion of all others.

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** Mr. Speaker, I have some 500 signatures on a petition from people in my riding of Saskatoon—Wanuskewin. They call upon Parliament to support the time honoured heterosexual opposite sex definition of marriage.

The petitioners call upon Parliament to do all that it can to support that and uphold it in the days ahead.

## LABELLING OF ALCOHOLIC BEVERAGES

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, I have before me the names of hundreds of Canadians who want alcohol warning labels.

They call upon the government to do what Parliament called on the government to do almost three years ago, and that is to affix warning labels on all alcohol beverage containers indicating that drinking alcohol during pregnancy can cause birth defects.

These Canadians know the dangers of drinking during pregnancy. They know the serious consequences of fetal alcohol syndrome. They want the government to live up to its commitment and act now.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## Government Orders

## GOVERNMENT ORDERS

• (1535)

[English]

## CRIMINAL CODE

**Hon. Anne McLellan (for the Minister of Justice and Attorney General of Canada)** moved that Bill C-12, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, be read the third time and passed.

**Hon. Sue Barnes (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I am pleased to rise today for the third reading of Bill C-12, an act to amend the Criminal Code, the protection of children and other vulnerable persons, and the Canada Evidence Act.

Today is an important day for a couple of reasons. First and foremost, it is an important day for Canada's children. Support on this day for Bill C-12 will bring us one step closer to realizing an objective that I believe is shared by all hon. members, namely, better protection of our children against all forms of abuse, neglect and sexual exploitation.

Today is also an important day for another reason. Today is the day when I hope that all hon. members will unite to say to Canadians, with one voice that is both strong and clear, that our children are the priority. We can do something today to move this priority even better and give effect to just that voice. This is the day that we do move from talk to action. This is what Canadians demand and this is what Canada's children deserve.

Bill C-12 proposes reforms in five key areas: first, strengthening the provisions against child pornography; second, protecting youth against sexual exploitation; third, increasing the maximum penalties for specific offences committed against children; fourth, facilitating the testimony of child victims and witnesses and other vulnerable persons; and finally, modernizing the criminal law through the creation of the offence of voyeurism.

Regrettably, child pornography is an issue that is well-known to members and to all Canadians. Although Canada's criminal laws against child pornography are already among the toughest anywhere, Bill C-12 proposes to further strengthen these laws by directly responding to concerns flowing from the child pornography case involving John Robin Sharpe.

*Government Orders*

How does Bill C-12 respond to these concerns? Hon. members will recall that Mr. Sharpe was convicted of possession of child pornographic photographs. He was, however, acquitted on the charge of possession of written materials for the purpose of distribution or sale. Even though the court found that these written materials consisted primarily of descriptions of adult male-boy sexual acts of abuse and torture and described them as "morally repugnant", Mr. Sharpe was acquitted of this charge because these stories did not meet the existing definition of written child pornography, that is, they did not advocate or counsel unlawful sexual activity with children.

Why then do we need to have this bill? I would like hon. members to consider this. Bill C-12 directly responds to the concerns of this case and proposes to broaden the existing definition of written child pornography. It proposes to prohibit written materials, such as those offered by Mr. Sharpe, that describe unlawful sexual activity with children where these written descriptions are the dominant characteristics of the material and they are written for a sexual purpose.

The government, in Bill C-12, clearly recognizes the very real risk of harm that these materials pose to our children and our society. We must not allow our children to be portrayed as a class of objects for sexual exploitation. I urge all hon. members to join with me in condemning such materials.

The alternative basis for Mr. Sharpe's acquittal on the written materials was that the materials would have been protected by the defence of artistic merit. The existing defence of artistic merit is easily satisfied by answering one, and one question alone: Does the work in question, objectively viewed, have some artistic merit? For example, does a written story show some accepted literary techniques or style? If it does, that is the end of the inquiry and the defence of artistic merit is available to the accused.

Canadians have clearly said no to this one step test. Again, the government has listened and Bill C-12 proposes a different test that draws from the wisdom of the Supreme Court of Canada. Bill C-12 proposes only one defence: the defence of public good, which involves a two step inquiry.

• (1540)

Does the material or act serve the public good? If not, there would be no defence. If it does, then an additional second question must be asked. Does it go beyond what serves the public good? In other words, if the risk of harm to society posed by such material or act outweighs the benefit that it offers to society, no defence would be available even if it had artistic, educational, scientific, medical or other value.

I appreciate that although the public good defence is one that is known to our courts, it may not be well understood by some, potentially including some in this chamber. Again, the government has heard and has responded further to these concerns.

The Standing Committee on Justice and Human Rights amended Bill C-12 to accept the government's clarification of the public good defence, including its legal interpretation. As amended, Bill C-12 now defines the public good as including acts or material that are

necessary or advantageous to the administration of justice or the pursuit of science, medicine, education or art.

This new, inclusive definition closely models the language of the Supreme Court of Canada in the Sharpe case, thereby strengthening subsequent reliance upon this judgment to assist with the interpretation and application of the public good defence.

On October 28, 2003, the House unanimously passed a motion calling on the government to eliminate all child pornography defences for "possession of child pornography which allow[s] for the exploitation of children". Bill C-12 delivers this and more.

During the course of that important debate, there was, I believe, a general acceptance that the law needs to protect certain persons who are working to catch child pornographers. For example, police and crown prosecutors who possess child pornography or provide it to other law enforcement officers for purposes related to the investigation and prosecution of child pornography cases should be provided with a defence for such possession and dissemination. Possession of child pornography by psychiatrists for educational or treatment related purposes was also recognized as something that should be protected.

This is exactly what Bill C-12 does. It recognizes that such acts clearly serve the public good and that the benefit they offer Canadian society clearly outweighs any risk of harm. Such acts do not exploit children.

The Canadian Professional Police Association, which is the national voice for 54,000 police serving across Canada, told the justice committee that they "welcome" the child pornography changes proposed by Bill C-12. They have also said that, from a practical perspective, the public good defence proposed by Bill C-12 will not impede police investigation of child pornography. This is because for most cases there is never any debate about the images. The graphic and explicit depictions of sexual abuse of young children by adults are clearly child pornography.

It is also important to note that while it is the job of the police to assess whether material constitutes child pornography as defined by the Criminal Code, it is not the police who determine whether an accused can avail himself or herself of a defence. That is a matter determined in a courtroom by those present on that day. Again, the public good defence does not impede police investigation of child pornography cases.

I urge all members to give effect to these important changes and to support these proposed child pornography reforms today, as have the police.

The government also recognizes that we must do more to better protect youth against sexual exploitation by those who would prey on their vulnerability in other ways.

Canada's criminal laws already prohibit all sexual activity with any young person below the age of consent, ranging from sexual touching, such as a kiss, to sexual intercourse. The age of consent is 18 where the relationship is exploitative, such as where it involves prostitution or child pornography or where there is a relationship of trust, authority or dependency.

*Government Orders*

Where none of these circumstances exist, the age of consent is 14, but—and it is important to be clear about this—any non-consensual sexual activity, regardless of age, is a sexual assault.

• (1545)

I understand that some persons believe that the best way to protect young persons against sexual exploitation is to raise the age of consent to 16 or 18 years. The government believes, however, that the real issue is about how to protect young persons from the exploitative conduct of others and is not about their consent to such conduct. There is a difference here.

One reason that is often given in support of raising the age of consent is that young persons, especially those who are 14 or 15 years old, are not mature enough to fully understand the consequences of consenting to engage in sexual activity. For some, young persons are too immature to be able to consent to any sexual activity, even with persons close in age. Others believe that young persons are too immature to consent to sexual activity with someone who is four, five or more years older.

Consider how the existing criminal law treats and recognizes the developing maturity and capacity of young persons. We have to go back. The age of criminal responsibility is 12 years. The age at which a young person may be subject to an adult sentence for committing a serious violent offence is 14 years. The age of consent to sexual activity is 14 years. The age of consent to sexual activity that is exploitative of the young person is 18 years.

While it is true that society uses other non-criminal measures to regulate other aspects of young persons' conduct, it would be completely inapt to compare, for example, the regulation of when a young person is allowed to drive to the criminalization of a young person's engagement in consensual, non-exploitative sexual activity. The government does not accept that normal, consensual teenaged sexual activity should be criminalized.

There is no consensus on this issue, whether among the public, at the level of federal, provincial or territorial ministers responsible for justice, or even among the witnesses who appeared before the justice committee on Bill C-12. Nonetheless, there is consensus on the need to better protect youth against sexual exploitation. Bill C-12 proposes this and more. It proposes better protection not only for 14 year olds and 15 year olds, but also for 16 year olds and 17 year olds, and it protects these young persons against sexual exploitation by others who are considerably older than they are, as well as against sexual exploitation by peers. It is the relationship, not just the age.

Some concerns were expressed by witnesses appearing before the justice committee that Bill C-12 as initially introduced did not adequately address a specific type of exploitative sexual relationship involving, for example, a 14 year old or 15 year old young person and a 40 year old or 50 year old adult.

The justice committee amended Bill C-12 to accept the government's amendment to more clearly describe the intention of Bill C-12 in this regard. It now states that the court may infer that a sexual relationship is exploitative, having regard to the nature and circumstances of that particular relationship. An additional fourth factor has also been added to the list of factors to be considered, namely, the age of the young person. This more clearly indicates that

the court should consider this factor as well as the age differential between the young person and the older person.

Concerns have been expressed by some that existing sentencing provisions for offences against children do not adequately reflect the serious nature of committing any offence against a child.

Again, Bill C-12 responds to these concerns. It proposes to make the abuse of any child an aggravating factor for sentencing purposes. It also proposes to increase the maximum penalties for child specific sexual offences. The maximum penalty on summary conviction for sexual touching, invitation to sexual touching, and sexual exploitation would be tripled from 6 months to 18 months, reforms that have been welcomed by the Canadian Bar Association among others.

• (1550)

Bill C-12 would also double the maximum penalty for sexual exploitation of a young person from five to ten years when proceeded by indictment. The maximum penalties for failure to provide the necessities of life and for abandonment of a child would also be increased to 18 months on a summary conviction and from two to five years on indictment for both offences.

Bill C-12 also proposes important reforms to facilitate the testimony of child victims or witnesses and other vulnerable witnesses. Although this part of the bill has received less attention than other parts, it largely has been well received. I know that in my own riding this is the part of the bill that is stressed to me the most, because we have those on the ground workers seeing the need for better protection for those who have been victims once and do not need to be re-victimized in a courtroom.

Most witnesses find the courtroom to be unfamiliar and unfriendly territory. For child witnesses it can be quite traumatizing. The criminal justice system has undergone numerous reforms since the late 1980s to make it more sensitive and responsive to the needs of these victims and witnesses.

These earlier reforms included making available such testimonial aids as a screen, a support person, closed circuit television, the exclusion of the public from the courtroom, publication bans, the use of videotaped evidence of the victim, and the appointment of counsel to conduct the cross-examination of a young victim or witness on behalf of a self-represented accused.

Bill C-12 proposes reforms that will clarify and apply a uniform test for the use of testimonial aids in three distinct categories of cases: first, cases involving a child victim or witness under the age of 18 years or a victim or witness with a disability; second, cases involving victims of criminal harassment; and third, cases involving other vulnerable adult victims and witnesses.

*Government Orders*

Bill C-12 would make testimonial aids available on application for all child witnesses and witnesses with a disability, unless they interfere with the proper administration of justice. For victims of criminal harassment and where the accused is self-represented, Bill C-12 would enable the Crown to apply for the appointment of counsel to conduct the cross-examination of the victim. The court would be required to order it unless doing so would interfere with the proper administration of justice.

This proposed amendment recognizes that a victim of criminal harassment or stalking, as it is sometimes called, should not have to endure further harassment by a self-represented accused person.

In cases involving any other adult victim or witness, the Crown can apply for the use of any testimonial aid or the appointment of counsel to conduct the cross-examination of the witness for the self-represented accused. In these cases, the court would order the use of the testimonial aid only if, having regard to the surrounding circumstances, including the nature of the offence and any relationship between the victim and the accused, the victim would not be able to provide a full and candid account without the testimonial aid.

Bill C-12 also proposes to modernize the publication ban provisions that can be imposed to protect the identity of the victim or witness or to ensure trial fairness. Bill C-12 would be amended to prohibit publication, broadcast or dissemination in any manner, including by the Internet.

In addition, Bill C-12 proposes amendments to the Canada Evidence Act that would eliminate the current requirement to conduct an inquiry into the ability of a child under the age of 14 years to understand the concept of an oath or affirmation and to provide testimony. In practice, the inconsistent and often rigorous conduct of these inquiries can result in increased trauma to the child witnesses as well as the loss of valuable testimony from child witnesses for reasons unrelated to the ability of a child to provide reliable testimony.

I have much more to say, but I understand that I am running out of time. I understand that it is easy to do politics around all legislation in the House, and I would just ask the hon. members to consider the real benefit of the aids that are in the bill and that we need now, not years down the road, in our courtrooms. The bill is so very important.

• (1555)

**Mr. Rick Casson (Lethbridge, CPC):** Mr. Speaker, it is good to speak to this subject today. We have done it numerous times in the past. I certainly want to add our comments and those of my constituents to the debate.

I have to disagree with some of the comments we have just heard from across the floor. I do not think this is a great day for the protection of children in Canada. Until we have legislation in place that sends a clear message that anybody who fools around with our children will face the full consequence of the law, we have failed to do our jobs here. I do not think the bill does that and I will point out a number of reasons why I think that.

The member across the way referred to a motion that was brought to the House by my colleague from Wild Rose. I want to mention him in my comments today because, as we all know, he has made the

issue of preying on our children one of his top priorities as he goes through his political and personal life. I support his endeavours. The motion that he brought forward in the House back on October 28 read:

That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

The motion was supported at that time, but there are still defences in this law for the possession of child pornography. That is one of the flaws we find in it.

The Conservative Party of Canada has problems with four main areas of the bill. The first one is it does not eliminate all defences for the criminal possession of child pornography. The second one is it does not raise the age of consent for adult-child sexual contact from 14 up to 16, and even some would suggest, 18. It is the lowest in the western world and that is not something I believe Canadians are proud of. It fails to institute mandatory sentences for child sexual assault, as has been done in the U.K.

There is a lot of debate and discussion here on raising the maximum sentences. However, raising maximum sentences that are never given is not a deterrent to the people who prey on our children. We should be raising minimum sentences and making sure that anybody who is convicted of exploiting our children is dealt with in a very severe manner.

The other one is the one dealing with evidence. I am working on a private member's bill that would change the way evidence could be presented in these cases. I have been doing some research on that. It is a very complex issue. It is not only in the Criminal Code but it also expands into other areas.

That is something that needs to be looked at. The people who fight child pornography in this country are bogged down by the amount of material they have to catalogue and bring to court. Certainly the accused has a right to know what the prosecution has in its possession and what it will be bringing forward. We have to be reasonable in the kind of cataloguing and evidence that has to be brought in these cases. That is something we really need to look at.

One of the real issues is that one of the most notorious pedophiles in Canada likes this bill. That should send a darn clear message that the government is on the wrong track in bringing the bill forward. He thinks that some of the provisions in the bill on giving evidence would be good for pedophiles. They would be able to bring forward young people to testify and they would enjoy that type of thing when it came to the court.

When somebody who enjoys this type of material sees merit in the bill because it will add to whatever they do to get enjoyment out of this type of material, and when he publicly states on his website that he thinks this is a good bill, then we really need to have a hard look at what we are doing. We need to make sure that we eliminate anything that pedophiles think will be to their advantage when they get to court on some of these issues.

*Government Orders*

•(1600)

There is controversy regarding the artistic merit defence. Changing it to the public good defence would leave a giant loophole in the law. I believe that some of the pedophiles in this country will see that as an advantageous tool that they will be able to use in their defence.

We have to eliminate any defence for people convicted of possession of child pornography. What possible public good could there be in images of children being abused? I cannot see what the government had in mind when it included a public good clause in the legislation. Images depicting children being abused in any way should not be allowed as art or for any other reason, such as research. Every time somebody looks at one of those images, the child goes through the whole process of abuse one more time.

That is a loophole in Bill C-12 and it needs to be taken out of the legislation. It should be changed before the bill is put into law. There is no reason to go forward with this and then come back years later and change it then. We feel very strongly about that. We need to make sure that aspect of the legislation is changed before it is put into law.

A poll was done a year or so ago and 80% of Canadians supported raising the age of consent for sexual activity. With 80% of Canadians onside, one would think the government would have paid heed to that but it did not.

A person as young as 14 years can be sexually exploited by an adult legally. There is a lot of talk about the issue of whether the sex is consensual, but we are talking about child-adult sex. If the age of consent could be raised to at least 16, that would protect thousands more children from people who choose to prey on them. That is an issue that needs to be dealt with. When that many Canadians are in support of it, any government should pay attention.

People have said that we cannot stop sex between teenagers, but that is not the issue; that is not what we are talking about. We are talking about child-adult sex. That is what we need to focus on. When these conditions, or what I call loopholes, that for some reason this should be allowed, are put into law, it is the same issue as artistic merit or public good being left in the bill. There is no reason to do it.

We are talking about children. We are talking about the most vulnerable people in our society. If we as legislators cannot come up with laws that will protect them to the ultimate degree because they cannot protect themselves, then we have not done our jobs. We need to have the strongest possible legislation in place.

Why would we as a nation be lagging behind the rest of the western world when it comes to these issues? It just does not make any sense. It makes us want to step back and wonder exactly what the minister was thinking when he developed the bill and why the government is pushing it through in its present state. Why can we as Canadians not be leaders instead of followers? Why can we not have the strongest legislation in place to protect children?

Canada has become known as a haven for pedophiles. The availability of the Internet to those types of people, the way they can dispense information rapidly and in such high volume requires us to have systems in place to stop it. Every time a market is created or

there is a need for something like this, then another child has been abused. We have to stop the end use of it so it filters back and stops the creation of it.

The member who spoke previously made a lot of comments and put a lot of credence in the fact that maximum sentences were being increased. That does not do the job. Minimum sentences have to be increased so that the message is clear and unavoidable. People who prey on our children or hurt a child in Canada will pay the ultimate price. They will pay it upfront and a deterrent will be put in place to stop them from doing it again. If it is a maximum sentence that is never imposed by the courts, then what is the point of doing it?

•(1605)

There is the issue of support for our police departments. Many of us have met with police forces across the country. Some of the stories they tell us are horrific and they are things that stay in your mind. We cannot possibly understand how someone could do to children some of the things that are done.

We have to give the police the resources they need to protect children in Canada. To say that this is a great day for children, I completely disagree with that for many reasons. The fact that our police forces are so overworked and under-resourced in this area is one of them.

Every time another task force is created, there is a lot of hoopla in the media about it, but there are no more police officers given. It is just another task force that has to be shared by the present forces. We must increase the numbers of policemen on the ground and increase their ability to pursue these people and stop them from trading in this vile information.

There were some policemen on Parliament Hill a year or two ago. I witnessed what they had to say. While they were speaking to us, they hooked up a computer and went online. I am not sure how chat rooms work, but before the meeting was over, they had put up something that indicated there was an underage person being manipulated by an adult and those who wanted to take part could tune in. Before the meeting was over, the police had two or three hits from people from who knows where that were interested. That is how fast and how effective the Internet is for those people who promote that type of thing. It was quite a lesson to many of us as to how easily these things can happen.

The Toronto police force indicated that it had 2,300 names of suspected pedophiles in Canada and only 5% of them had been addressed. This in itself is a damning statistic, that we have actual names of people and we do not have the resources to go out and hold them to task or enough manpower to investigate what is going on and put a stop to it. The cases are many. The issues are huge.

*Government Orders*

I want to get back to the John Robin Sharpe case. I firmly believe that when people such as Mr. Sharpe come forward and indicate that they support the bill and they feel that there are aspects in it that they would find appealing and would convince society to become more tolerant of pedophiles, then we are really on the wrong track. We must make sure that any bill that is put forward does not fall into the hands of pedophiles, allowing them to ply their trade and prey on our children.

There a couple of other points I would like to make along these lines. There is the aspect of Canadians that have been involved. Thousands of Canadians have petitioned Parliament to take away all the defences for child pornography and to increase the resources that are available to the police to fight this issue. We have to listen to these people. They are going to a lot of effort. They are very involved and very knowledgeable on what is going on. They know the numbers of children that have been preyed upon. They have a huge concern.

When we see that many Canadians engaged in an issue, then the government should pay attention. The government should look at what they are suggesting and try to implement it into law. We have not seen that here. The loopholes that have been left are many and they need to be addressed.

• (1610)

Before I close I would like to move an amendment. I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following therefore:

"Bill C-12, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, be not now read a third time but referred back to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness for the purpose of reconsidering all of its clauses with the view to eliminate loopholes identified by 'the nation's most notorious child pornographer', Robin Sharpe.

**The Acting Speaker (Mr. Bélair):** The amendment is in order.

Resuming debate, the hon. member for Charlesbourg—Jacques-Cartier.

[*Translation*]

**Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ):** Mr. Speaker, the bill before the House is extremely important, which is why the work done by the Bloc Québécois was particularly thorough. It is common knowledge in this House and outside these walls that we are used to being diligent, strict and very serious about our parliamentary work. This was especially true for Bill C-12.

This is a bill that could have been even better in my view. It could have been improved, but the government unfortunately refused many of the amendments proposed by the Bloc Québécois. We proposed seven amendments at committee and only one was accepted. That is unfortunate because this bill could have been even more effective legislation in the cases we want to handle with Bill C-12. That said, the Bloc Québécois will nonetheless support Bill C-12.

Bill C-12 amends the Criminal Code to add a new category to the offence of the sexual exploitation of young persons. It makes additional amendments to further protect children from sexual exploitation; to increase the maximum penalty for child sexual offences, for failing to provide the necessities of life and for abandoning a child; to make child abuse an aggravating factor for the

purpose of sentencing; to amend and clarify the applicable test and criteria that need to be met for the use of testimonial aids, for excluding the public, for imposing a publication ban, for using video recorded evidence or for appointing counsel for self-represented accused to conduct a cross-examination of witnesses; to create an offence for voyeurism and the distribution of voyeuristic material; and to amend the child pornography provisions with respect to the type of written material that constitutes child pornography, and with respect to the child pornography defences.

As members know, this enactment also amends the Canada Evidence Act to abolish the requirement for a competency hearing for children under 14 years of age.

This bill addresses the issue of consent to sexual relations, and this is where I will start.

Currently, in Canada, rules regarding sexual consent in the Criminal Code can be summarized in four points. First, the consent of a person under the age of fourteen is not a defence to a charge of a sexual nature. We can, therefore, deduce that a person 14 years or older is capable of giving such consent.

Second, there is an exception to this rule. The consent of a complainant can be a defence if the latter is between 12 and 14 years of age or if the accused is between 12 and 16 years of age, if the accused is not more than two years older than the complainant or, finally, if the accused is not in a situation of trust or authority over the complainant.

Third, a person in a situation of trust or authority cannot sexually interfere with a person between the ages of 14 and 17, even if the minor consents.

Finally, it is important to note that, naturally, child prostitution is illegal in Canada.

These provisions of the Criminal Code were strongly criticized, mainly by the party that preceded the Conservative Party of Canada, the Canadian Alliance, which wanted to raise the age of sexual consent to 16. One of the arguments in favour of raising the age of consent was that Canada was at risk of becoming a sex tourism destination since sexual relations with minors 14 years and older are not illegal here.

The Bloc Québécois has always opposed any increase in the age of consent. In our opinion, while it may not be desirable for young people 14 and 15 years old to have sexual relations, the provisions referring to this age reflect what society is prepared to tolerate.

We have also spoken out more than once about the double talk of the reform-alliance-conservative members. In the debate on young offenders, they argued that adolescents 14 or 15 years of age were mature enough to be held criminally responsible for their actions, but in this debate on the age of sexual consent, they are arguing that the same 14 or 15 year olds are not mature enough to consent. Go figure that one out.



*Government Orders*

•(1615)

With Bill C-12, the Minister of Justice is proposing amendments to the provisions relating to consent to sexual relations. In fact, the Minister of Justice is creating a new provision relating to exploitation. From now on, an adult cannot have sexual relations with a minor if exploitation is involved.

The criteria used to determine the existence of an exploitative relationship are the age difference between the accused and the young person, the evolution of the relationship, and the degree of control or influence by the person over the young person.

This was amended after consideration in committee. The adolescent's age was added to the criteria for determining exploitation. This new criterion in no way changes the position we held at first reading. We still have certain reservations about this new mechanism.

First of all, we feel it creates legal uncertainty. An adult involved in sexual relations with a minor will never be able to be absolutely certain that he or she is not committing a criminal offence, because the Criminal Code provisions leave a very wide latitude for the presiding judge's interpretation of the law.

Furthermore, a parent who disapproves of a minor child's choices in terms of love will still be able to lodge a complaint with the police, even if the reasons behind such a complaint are not those provided for by the legislator. This could add to judicial uncertainty.

The second point addressed by the bill is voyeurism. As you know, Mr. Speaker, since you are technologically up to date, technological progress in recent years has made it necessary to amend legislation in order to face these new realities. For example, digital cameras that transmit live images through the Internet have raised the issue of possible abuse, such as the clandestine observation and recording of people for sexual purposes, or when such an observation or recording is a flagrant violation of privacy.

Therefore, the bill proposes adding two new offences to the Criminal Code and provides for a maximum of five years in prison for all acts of voyeurism. Three specific instances will be criminal offences, all having to do with deliberately observing or recording another person in circumstances in which there is a reasonable expectation of privacy.

That would be the case when the observation or recording is for sexual purposes, when the person being observed or recorded is in a place in which a person can reasonably be expected to be nude or to be engaged in sexual activity, in a bedroom, for example, and when the person being observed or recorded is nude and engaged in sexual activity and the purpose is to observe or record a person in such a situation or engaging in such an activity.

The second offence concerns the distribution of material that one knows has been produced through an act of voyeurism. This offence is described in clause 6 of the bill in the following way:

Every one commits an offence who, knowing that a recording was obtained by the commission of an offence under subsection (1), prints, publishes, distributes, circulates, sells, ...or makes available the recording, or has the recording in his or her possession for the purpose of printing, publishing, distributing, circulating, selling or... making it available.

During the committee's study of this offence, I proposed an amendment that the committee accepted, forbidding the use of such recordings in advertising. This amendment would make clause 6 of the bill more complete and more effective.

Finally, copies of a recording obtained by the offence of voyeurism for the purpose of sale or distribution could be seized or confiscated. The courts could also order deletion of any voyeuristic material from a computer.

We feel that the legislative provisions relating to voyeurism were made necessary by the proliferation of surveillance cameras and the rapidity of distributing images taken by such cameras, via the Internet for instance.

Consequently, we are in favour of these provisions, especially since they were improved through the amendment proposed by the Bloc Québécois.

The third issue addressed in this bill is child pornography. It is, of course, the most talked about.

If there is one thing on which we have to agree, it is the fact that nothing is more precious in our society than the safety and security of our children.

•(1620)

Knowing that the end does not justify the means, we have to be careful in what we choose to do to protect our children. Nevertheless, it is all about striking the right balance, and we must keep in mind that the ultimate goal is to protect our children, who are the most vulnerable people in our society.

The new provisions on child pornography proposed in Bill C-12 address two different aspects. First, there is the definition of child pornography. The present definition of child pornography applies only to material that advocates or counsels sexual activity with a child. Bill C-12 would expand that definition to include any material that describes prohibited sexual activity with a child where the written description of the activity is the dominant characteristic of the material and is done for a sexual purpose.

This new provision reads as follows:

—any written material the dominant characteristic of which is the description, for a sexual purpose—

This is important.

—of sexual activity with a person under the age of eighteen years that would be an offence under this Act.

I know that many artists raised certain fears about this new provision. In my opinion, it specifically states that it must be done for a sexual purpose in order to be considered child pornography. This should alleviate their fears, which are legitimate, especially as the public good defence—I will come back to this in a moment—also provides artists with very good means of defence. These are legitimate.

We believe that this new provision is cause for concern. First, it is important to specify that possessing child pornography is already a crime carrying a five year jail term. However, this new provision states that written material describing sexual activity with the person under 18 years of age for a sexual purpose is child pornography.

*Government Orders*

Consequently, this would mean that anyone who, in their private diary, describes their sexual fantasies—some twisted, no doubt—is committing a criminal offence and can be sentenced to five years in prison, even if they do not show what they have written to anyone and even if no child has been involved in any way whatsoever in the creation of the written material.

At first, these provisions struck us as too broad and tantamount in a way to making thoughts a crime. It was pointed out to us that these provisions must be interpreted in light of the ruling of the Supreme Court of Canada in *Sharpe*. Under that ruling, two types of material must be excluded from the definition of child pornography: first, documents or representations that the accused alone created and retains solely for personal use and, second, visual recordings created by the accused or in which he is represented, which do not depict any illegal sexual activity and which the accused retains solely for personal use.

We find it hard to understand and we have said so many times in previous speeches and in committee why the Minister of Justice did not incorporate these exceptions into the Criminal Code. In fact, their absence will have the effect of creating legal uncertainty, because the Criminal Code will provide, even for an informed reader, a very imprecise definition of child pornography.

Through Bill C-12, the Department of Justice is also creating a public good defence. On the face of it, this new mechanism seemed reasonable, but needed to be specified further. That is why we put forward an amendment in committee to clarify the concept of public good. This was done following repeated requests by the Bloc and many witnesses who appeared before the committee calling for the concept of public good to be specified.

Two clauses were added after clause 6. They read as follows:

For the purposes of subsection (6), acts or material that serve the public good include acts or material that are necessary or advantageous to the administration of justice or the pursuit of science, medicine, education or art.

For the purposes of this section, it is a question of law whether any written material or visual representation advocates or counsels sexual activity with a person under the age of eighteen years that would be an offence under this Act.

This provides artists with a public good defence. It provides a defence to those who had concerns. Some scientists were also concerned. We have specified that, for the pursuit of medicine or research, this was an appropriate defence for possession of child pornography.

• (1625)

Although these amendments are not totally the same as what the Bloc Québécois had brought forward, we are nevertheless pleased with the amendments the government came up with, because their very substance is in keeping with what we proposed in committee.

The fourth change proposed in Bill C-12 is to increase the maximum sentences for offences committed against children. Under the government's reform proposals, the penalties for offences that harm children would be increased. The maximal penalty for sexual exploitation would double from five years to ten. The maximum penalty for abandonment of a child or failure to provide the necessities of life to a child would more than double from two to five years. The abuse of a child in the commission of any Criminal Code

offence would also have to be considered as an aggravating factor by the court and could result in a tougher sentence.

We are in favour in these new provisions. That being said, the Bloc moved a number of amendments in committee to create a minimal sentence for child abuse. Unfortunately, none of these amendments were passed, although they were supported by members of the Conservative Party, at the time the Canadian Alliance, and even members of the Liberal Party.

I think it is high time for members of this House to look into minimal sentences for those who abuse our children, the most vulnerable members of our society. I hope we will have an opportunity to act soon.

Last, the fifth issue has to do with facilitating child witness and victim testimony. Here is how the department explains the reforms proposed to facilitate the testimony of children who are vulnerable witnesses or victims:

Several reforms will help ensure that participating in the criminal justice system is less traumatic for the victim or witness. Current Criminal Code provisions would be expanded to allow all witnesses under 18 to benefit from testimonial aids in any criminal proceeding (not only those involving sexual and other specified offences). These aids include providing testimony from behind a screen or by closed-circuit television or having a support person accompany the young witness. Current provisions generally require the Crown to establish the need for a testimonial aid. Given the potential trauma of the courtroom experience for young witnesses, the proposed reforms acknowledge the need for the aid.

For all testimonial aids, the judge retains the discretion to deny the aid or protection where its use would interfere with the proper administration of justice. In addition, the facilities to permit the use of a screen or closed circuit TV must be available in the courtroom before the judge can permit their use. Fundamental rights for the accused are fully respected under the proposed amendments.

The reforms would also allow children under 14 to give their evidence when they are able to understand and respond to questions.

We in the Bloc Québécois support these provisions.

In conclusion, we support Bill C-12. We would have liked to have seen more openness on the part of the government to the amendments we proposed, including those relating to minimal sentencing for people sexually exploiting our children, doing harm to these beloved and so vulnerable beings who deserve the attention and protection of the members of this House.

I wish to announce that I will continue to work to get this House to address the issue more thoroughly. I trust that at that time I shall have the support of all members of this House so that the pedophiles who are victimizing our children will be punished severely. Often child victims are marked for life.

*Government Orders*

•(1630)

[English]

**The Acting Speaker (Mr. Bélair):** Before we move on to questions or comments, 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 Saskatoon—Humboldt, Aboriginal Affairs; the hon. member for Renfrew—Nipissing—Pembroke, Government Contracts; the hon. member for Ottawa West—Nepean, Citizenship and Immigration.

**Mr. Art Hanger (Calgary Northeast, CPC):** Mr. Speaker, I listened carefully to the member making his presentation. I do not doubt that he has the best thoughts in mind when it comes to protecting our children

However, I am left with some questions about his position, given the fact that he also states that we must strike a balance. I do not quite understand what his balance is when it comes to protecting our children. There is only one protection as far as I am concerned.

I will relate to the hon. member my experience very briefly. As a former police officer, I have had to deal with this kind of crime against children. There are individuals, men out there, who do nothing but prowl around looking for the vulnerable, looking for 13, 14, and 15 year old runaways. Their eyes fall upon those youngsters and they know which ones to pick. They know who to go after. They do not have to look very hard. With that, those 13, 14 and 15 year olds, some of them may be younger than 13, are selected. They know how to manipulate those youngsters for sexual favours. It happens daily on our streets and with that, comes the child porn industry.

There is no balance when it comes to this that I can see. Would the member like to engage in a reply on the kind of situation where procurers, pedophiles come after our children? What kind of balance would he like to see struck when it comes to convicting them? If the hon. member is married himself, if he were to find one of his own children in that position, how would he deal with the matter?

•(1635)

[Translation]

**Mr. Richard Marceau:** Mr. Speaker, I thank the member for his question. I also thank him for the fact that he did not question my beliefs concerning children. I myself have two six-year-old children. One of them has chicken pox and is here in my office. I thank my assistant, Patrick, for taking care of him during these few minutes, because he cannot go to school since he is contagious. That being said, I wanted to thank him publicly.

Indeed, nothing is more precious than our children. I talked about balance. However, it was not quite clear whether we were talking about sexual exploitation or child pornography. When I was talking about child pornography, the idea was to be very careful not to abusively accuse some legitimate artists who may write a novel, for example, *Lolita*. We know about the novel *Lolita*, some novels or some texts that may be quite legitimate and, in a wider context, whose narrative describes sexual acts between minors. As the text does not generally have a sexual purpose, it would not be considered child pornography.

When I was talking about balance, this is what this was about. I was absolutely not talking about balance in the case of sexual exploitation of children, these poor children who are abused by some quite despicable people.

This is why I suggested in committee that we have minimal penalties to fight against this and to punish as harshly as possible people who prey on these vulnerable human beings that are our children.

I hope that, when I introduce a bill on minimal penalties for people who sexually exploit our children, which I will do in the near future, I will have the support of the member who is asking me questions.

[English]

**Hon. Sue Barnes (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I would like to thank my hon. colleague for his speech on the bill. The section in the legislation that I did not get to talk about dealt with voyeurism offences and I am pleased that he did speak on this. I would like to ask him a question with respect to those offences and some of the other areas of this piece of legislation.

We are now on the motion to send the bill back to committee as opposed to getting it through third reading of the House. This is a legitimate tactic, not by his party, but by another party in opposition, to slow down the process of getting this piece of legislation moving, to get it into effect in the courtrooms, especially with those aid situations for the vulnerable and disadvantaged people, and even those children who have their accused coming at them by way of cross-examination. He is well aware of all of the parts of the bill that could be beneficial. I would like his comments on this delay.

[Translation]

**Mr. Richard Marceau:** Mr. Speaker, I think this bill should be passed as soon as possible. As for the voyeurism provisions, we know how incredible technology has become. It can do a lot of good, and a lot of bad. Cameras are now very small and can broadcast live on the Internet. So, it is now possible to hide a small camera in a bathroom, whether it is a public or private location, or in a bedroom, whether it is in a private home or in a hotel, and broadcast these images on the Internet. I do not think anyone of us, who expects a little privacy or intimacy, would like these images to be broadcast.

This new offence of voyeurism is long overdue. The legislative process being as it is, we often find ourselves lagging behind the technology. I think this is a good example that points out the need to adopt this piece of legislation as soon as possible.

•(1640)

[English]

**Mr. Brian Fitzpatrick (Prince Albert, CPC):** Mr. Speaker, my first comment concerns the fact that Mr. Sharpe is, apparently, quite enthralled with the legislation. He says that the loose definition in the bill would liberalize things quite a bit from his standpoint and would give him lots of grounds for reasonable doubt in a criminal trial.

*Government Orders*

I have another point I want to raise. We had a serious case in my riding this past summer where a 12 year old aboriginal girl was sexually assaulted by three men in their mid-twenties. They had their trial split. One was convicted. I do not know how the jury decided the case for the other two accused because we cannot get into that, but one of the main defences of the lawyers was that the accused believed the victim was at least 14. This just proves to me that we have a problem and the bill does not provide any protection on that matter.

I know that a lot of the Bloc members opposed increasing the age from 14 to 16. I wonder what the Bloc member would have to say about raising the age of consent from 14 to 16.

[*Translation*]

**Mr. Richard Marceau:** Mr. Speaker, members of this House all need to be responsible and consistent.

I find it hard to understand the logic behind the position of the Conservative Party which, on one hand, wants to raise the age of consent from 14 to 16, or even 18 depending on the person to whom I am talking, and, on the other hand, wants 14 and 15 year old offenders to be brought before adult courts because these young people should be able to tell right from wrong.

This does not make any sense. If they want to raise the age of sexual consent, and that is what they want to do, let them do it. However, I would urge them to be consistent and stop asking for 14 or 15 year old offenders to be brought before adult courts. If they refuse to do so, they will show the kind of inconsistency that we will be sad to see.

[*English*]

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, I am pleased to take part in this debate. I am tempted to say here we go again on what used to be known as Bill C-20 and now is known as Bill C-12.

The bill proposes to amend the Criminal Code to help safeguard children and other vulnerable persons from sexual exploitation, abuse and neglect and also to enhance the protection of victims and witnesses in criminal justice proceedings.

The bill was introduced and read the first time in December 2002. It was debated at second reading in January and February last year before heading off to the justice committee from whence it has now returned.

The bill has five major components that I would like to review. First, it proposes to strengthen the child pornography provisions by expanding the scope of some existing sentences; the maximum available penalty would be increased from 5 to 10 years imprisonment.

Second, it proposes to increase the protection of young people against sexual exploitation.

Third, it proposes the creation of new offences relating to voyeurism and the viewing or recording of others in situations where there is reasonable expectation of privacy against electronic peeping Toms who resort to tiny cameras and other high tech tools for their and others' sordid gratification.

Fourth, it proposes to increase penalties following conviction for offences committed against children under the age of 16 years, as well as abuse and neglect, which includes failing to respond to the necessities of life and abandonment. I am pleased to see that the maximum penalty has been increased from two to five years.

Fifth, it proposes to facilitate testimony by child victims as witnesses and other vulnerable persons and would ensure that the child witnesses are indeed competent.

Let me say loudly and clearly that I support fully the sections that I have just referred to that deal with sexual exploitation of our young people. It is crucial, as others have noted in this debate, that our society has proper mechanisms to protect children from sexual exploitation, especially by those in positions of trust.

The stronger penalties, for example, against voyeurism, are important because the Criminal Code will be updated to nab these electronic peeping Toms and prosecute them to the full extent of the law.

The New Democratic Party supports the sections that help children to be witnesses. This section makes it easier and less traumatic for children to testify at criminal trials, and I strongly support doubling the sentences for offences against children.

I believe to the core of my being that it is the role of Parliament and our criminal justice system to protect all children from all forms of sexual exploitation.

Like my colleague, the MP for Dartmouth, who is so well respected on all sides of the House and who has taken the lead on this bill, I have two children and I would see any form of sexual assault against either of them to be horrific as are all cases of sexual abuse and exploitation against all minors.

However the member of Parliament for Dartmouth, besides being a first rate mother and a first rate parliamentarian, is also a first rate playwright. She has stated, and I concur, that a growing number of Canadians and other organizations have a real concern with the exclusion of part 7 of the proposed bill because it drops the artistic merit defence as well as deleting the defence of an educational, scientific or medical purpose.

By doing so, it leaves only the defence of the public good. At face value, some people may think, and we have heard it in the House this afternoon, that defence of the public good would also include the two deleted defences. The public good is defined in the bill as something that is necessary or advantageous to the administration of justice or the pursuit of science, medicine, education or art. A story or drawing that passes muster under that public good definition is, however, still not home free because the court must then decide whether the harm to society outweighs the benefits.

This, as the *Globe and Mail* pointed out in an editorial last month, is treacherous territory. Any work of fiction involving the portrayal of a child in illegal sexual activity could be deemed pornographic.

•(1645)

These concerns were all raised when the bill was at committee, but the government is obviously not prepared to budge. The concern that I and other members of our caucus have is that the government has caved into the politics of fear.

Let me be absolutely clear, and I say this directly to the justice critic for the Conservative Party. I support, fully and completely, longer sentences for anyone in this country who creates sado-masochistic pornography that depicts children as sexual objects. Individuals who are involved in these criminal activities will, as a result of these changes, now go to prison for longer periods of time. I approve and applaud wholeheartedly these stiffer sentences.

The difficulty for me and others is that under this proposed revision, any work of fiction involving the portrayal of a child in illegal sexual activity could well be deemed to be pornographic. For example, *The Tin Drum*, a highly moral work by Gunter Grass, might run afoul of this new legislation, as could Vladimir Nabokov *Lolita*, a classic literary work, be in danger.

In the past, the Supreme Court has included artistic merit as a plausible defence but the fear is that the law, as it is presently drafted without the artistic merit clause, could criminalize the imagination and I have difficulty with that.

This is not some esoteric argument by the member for Dartmouth or myself. Besides the *Globe and Mail*, it has elicited the attention of the *Ottawa Citizen*, civil liberty groups, writers and the artistic community.

Yesterday in Toronto the Canadian Conference of the Arts and the Writers' Union of Canada held a public forum on their concerns about Bill C-12. They did not stand alone. Joining them were: Canadian Museums' Association; Canadian Artists' Representation; Union des écrivaines et des écrivains québécois; Canadian Civil Liberties Association; B.C. Civil Liberties Association; Union des artistes; PEN Canada; Canadian Library Association; Literary Translators' Association of Canada; Corporation des bibliothécaires professionnels du Québec; Association des auteurs et auteurs de l'Ontario français; Ligue des droits et libertés; Regroupement des artistes en arts visuels du Québec; Société Civile des Auteurs Multimédia; Société des Auteurs de Radio, Télévision et Cinéma; Conseil des livres et des périodiques; and Société des auteurs et compositeurs dramatiques.

The following were their specific concerns on this bill. First, artists from all disciplines who create works with themes involving persons under 18 and sexuality, risk having their expressions criminalized.

Second, artists whose work contains such themes would be deemed to be guilty until they can prove themselves innocent of the charge; in other words, reverse onus.

Third, the concept of public good would replace artistic merit. This is a subjective concept that, according to the Supreme Court, has not been clearly defined.

Fourth, under the proposed new law, artists would have to prove objectively in court that (a) they produce their work for the purpose

### Government Orders

of public good, and (b) their work does not exceed the limit of what constitutes public good.

Fifth and final, an expansive interpretation of sexual purpose and voyeurism will infringe on new and existing artistic works, including literature, visual and media art film and theatre.

The CCA concluded that the bill was poorly crafted and proposed reframing the legislation to protect children while allowing bona fide artists the freedom to create. It argues that retaining the defence of artistic merit in the Criminal Code will serve all the people of Canada, both youth and elders.

It is saying that the elimination of the artistic merit defence will not have any effect on the government's purpose of eradicating sexual abuse of minors, nor will it prevent child pornography. It will serve only to create confusion and punish artists whose work, created in good faith, could be deemed in contravention of the new legislation.

Nor does the CCA believe the term "public good" used in the legislation has been defined adequately and therefore it believes the defence under the public good is an unacceptable substitute for the defence of artistic merit.

•(1650)

Let me come back to the reverse onus clause. This will require an artist to prove that his or her work is not pornographic instead of requiring the Crown to prove otherwise. Clearly this is totally contrary to our judicial system that holds every citizen as presumed innocent until proven guilty. Under this legislation, under the reverse onus clause, someone who is innocent would have to prove it first.

The House needs to be reminded that we are debating this legislation largely because of one individual, John Robin Sharpe. In the court decision regarding Mr. Sharpe, he was convicted of possession of photographs of boys engaged in sexual acts and poses, but he was acquitted on possession of child pornography stories that he had written because two out of three literary experts concluded that his stories had artistic merit.

What does Mr. Sharpe think of the proposed legislation? Just like the writers, artists, editorial writers and New Democrats, he says that the bill is poorly crafted, but he goes on to say that it is so poorly crafted, he could probably use it to his advantage in court. He said:

I am fairly confident that given good legal counsel, and a conservative, by-the-book judge who bases his decisions on the wording of the law...that I and my stories would again be acquitted under the proposed measures.

*Government Orders*

Legal experts tend to agree with Robin Sharpe, saying that the public good defence is too vague to survive court challenges. The Supreme Court upheld the federal legislation in the Sharpe case, but stressed there had to be generous leeway for artistic merit, and he was acquitted on some counts, not merely because of artistic merit but because the court concluded that his stories did not advocate or counsel pedophilia. In short, the court ruled on the side of free expression.

It is difficult, and it ought to be difficult, to criminalize expression. Of course Parliament has a duty. Children have to be protected, and that we are very clear about. However, at the same time we cannot be seen to be encroaching on freedom of speech or the right to know with some precision what is allowable and what is forbidden.

The *Ottawa Citizen*, in a recent editorial entitled “Making matters worse”, stated that Bill C-12 would violate both of these principles. It went on to say that no matter how well intentioned the law was, it should not pass. The editorial stated:

The government has not produced solid, empirical evidence that viewing or reading works of the imagination prompts pedophiles to molest real children. Without that evidence, there's no reason to believe this law will make children any safer.

Paul Rapoport from the School of Arts at McMaster University writes that when it comes to visual media especially, “all nudity is sex, all sex is porn, and if minors are involved, find somebody to lock up and throw away the key”.

That description certainly encompasses some members of the Conservative Party who have spoken on this bill in debate in spite of the fact that the most common child in art, according to Mr. Rapoport, is named Jesus.

I was in debate on the artistic merit defence last year, and in responding to another MP, I said this:

—if it has not specifically hurt a minor in the production of it, if it is created by people's visual imaginations and if the main purpose of it is not simply about pornography and sexual exploitation, then under the laws people do have a right to their own imaginations and thoughts, however perverse the member and I might think they are.

This quote made it into a lot of Canadian Alliance householders. We killed a lot of trees over this one, as I guess they tried to portray me as being soft on child pornography. I am not soft on child pornography. However, I must say that I am also encouraged by the editorial boards of major newspapers, civil libertarian groups, writers and artists who have expressed similar concerns about where we are headed with this bill. Specifically, hear the conclusion of the *Ottawa Citizen* editorial:

The only solution is a law that criminalizes pornography involving real children, but excludes all works of the imagination. This would protect children just as well as the law now before Parliament. But it would also respect free speech and provide a bright, clear line between what is illegal and what is not.

Of course there is a circular argument in all of this that deserves to be named as well. We have the Conservative Party, and especially its justice critic, railing constantly against judicial activism. However, by arguing for a narrower and narrower interpretation of child pornography and one that excludes both artistic merit and defence of the public good, the courts and judges will have no choice but to say that it is so narrow that it violates the Charter of Rights.

● (1655)

The judges and courts will strike this down and the justice critic for the Conservative Party will mount his pet hobby horse about judicial activism. In fact I am convinced that the other place, when it looks at this bill, will find it a deficient piece of legislation and demand that changes be made here before it passes.

The list of people and organizations who see flaws in the bill is long and it is getting longer. As I indicated, it legitimate artists, writers, the Canadian Conference of the Arts, some police, civil libertarians, the Canadian Bar Association and major newspapers.

Sergeant Gillespie of the Toronto police said:

Police would simply appreciate laws that are very clear and that will allow us to make better informed decisions at the time we are required to make them.

The Canadian Bar Association said, “While we appreciate the intent”, referring to the defence of public good, “the amendment may not achieve its goal”.

Alan Borovoy of the Canadian Civil Liberties Association recommends that the law be narrowed so that it applies only to material, the making of which is held out to involve the lawful abuse of a real child; not an imaginary child, a real child.

Strengthening the provisions of child pornography, doubling penalties and increasing protections of youth against sexual predators and sexual exploitation is important, and I support it fully. This must be done while protecting free speech and imagination.

I was raised in a time when the words to a pop song of the day went, “Brother, you can't go to jail for what you're thinking”. These words should be as true today and tomorrow as they were yesterday. Without reinstating the artistic merit in this bill, I will reluctantly and sadly find myself voting against Bill C-12.

● (1700)

**Mr. Art Hanger (Calgary Northeast, CPC):** Mr. Speaker, I listened closely to the member for Palliser. I know he has drawn a line in his conversation and his presentation in saying that there should be strong action taken against child pornographers and that he would like to see longer sentences for those who sexually exploit children, which is well and good. I think we as members of Parliament should be making that very clear, and that children should be at the top of our list.

He also has sort of shaped the Conservative Party as wanting to paint a broad brush and throwing out the net to catch everybody who even thinks or believes that there is a child molester or pornographer around every corner and that every artist is in that category. I want to correct the member because I believe our party does not stand for those things, as he attempted to portray two or three times during his presentation. I believe we have led the charge on this right from the very beginning, that we want to protect our children. We want to protect them from exploitation of every kind, including pornography.

*Government Orders*

As I mentioned before, and I asked the member from the Bloc this very question, there are people out there who will want to push the envelope at every turn. They will want to look for those who are vulnerable. They will want to create images to satisfy their own desires and the desires of others. There has to be a line drawn somewhere that will prohibit those who want to abuse others, like Mr. Sharpe.

The member for Palliser says that he supported Mr. Sharpe's comments. I do not know if he supports the reputation, background and convictions that Mr. Sharpe has faced. He is truly a porn collector.

Where does the member stand when it comes to this line, because there is indeed a line? I do not think we should be casting aspersions on the Conservative Party, which really wants to protect our children and which stands in the face of opposition looking at the government and its legislation, and the legislation is not truly that way.

Does the member support Mr. Sharpe in all that he does? He has quoted him. Where does he stand?

**Mr. Dick Proctor:** Madam Speaker, the member said that I was taking his party out of context and that was not what the party believed. He also talked about drawing a line. I can draw a line. I thought I tried to do that in my speech, but let me repeat it again.

The line is between real children and imagination. Somebody cannot be criminalized for imagination unless that imagination is clearly designed to advocate for pedophilia or other acts. I, like the member, want to catch the type of individual about which he has talked. As a police officer, he dedicated his resources to going after individuals who abused vulnerable 12 or 14 year olds and dealt with that individual to the fullest extent of the law. I do draw a line between works of the imagination with somebody going after a real person or using pictures of a real person against his or her will. If it is a young person, obviously that does not need to be included.

With regard to Mr. Sharpe, I only referred to him because he is one of many people quoted as saying this legislation, as drafted, is poorly crafted. I think I am recalling fairly well from memory that he said that a conservative, by the book judge would probably throw out the public good defence.

We and a lot of other organizations and individuals have a problem with the legislation as it is drafted. It will presumably be passed in this place. However, I have my doubts whether it will receive royal assent by the Senate. I think it will want to look at this because of the lack of the artistic merit argument and other shortcomings, and then refer it back here.

What is the point of passing legislation that we can guarantee will run afoul of the Charter of Rights? Why would we not try to do our best as legislators and as parliamentarians to pass a bill that is reasonable, that has a balance on free expression and that protects our children, and indicate to the courts that we are aware of the competing interest? There are competing interests here. I continue to assert that there has to be a line drawn in the sand between real children and products of the imagination.

• (1705)

**Hon. Sue Barnes (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker,

on the broad aspects of the bill, I think the member and I are in agreement. I believe that all hon. members want us to move toward protecting our children.

The voyeurism parts of the bill and the parts that relate to the aids for testimony for vulnerable people and for children are crucially important. Those are technical areas that could do great good in the courtroom.

The member said that the bill would pass third reading. I want to remind the House that the bill is not at third reading any more because of the motion to send it back to committee, which in effect will slow down the passage of this legislation.

I also want to remind the House and the hon. member that we can share in opinions or differ in opinions about one aspect of the bill or one aspect of the bill may not be what one party, or another party thinks is utopian. In actual fact the changes in drafting around the defence mechanism of public good were based on the Supreme Court material. The bill has been crafted to guide us through a very treacherous path so we can have better protection for our children.

I would like to have the hon. member's opinion about the further delay of the bill and the fact that we will not be delivering it to the public. As we all know, there are people in courtrooms across this land who will not get the benefit of the bill if this delay continues.

**Mr. Dick Proctor:** Madam Speaker, I do not have any difficulty at all, as I indicated in my speech, with the voyeurism enhancements and the enhancements for children to testify. I support all of that. I note that the parliamentary secretary talks about the public good and having had consultations with or references from the courts in drafting this. That is encouraging.

At the same time, I have to point out to the parliamentary secretary that, as I said in my speech, growing numbers of organizations, interest groups and editorial writers are extremely concerned about the direction in which this bill is headed. They do not think it is going to survive a charter challenge. I appreciate what the member is saying about getting the bill through, but I think it is more important to get it right first than to get it through fast.

• (1710)

**Mr. Art Hanger (Calgary Northeast, CPC):** Madam Speaker, I find it very positive to rise today to speak about this issue, an issue that I have followed since I came to Parliament 10 years ago. It is also an issue that I had a lot to do with when I was a police officer on the streets of Calgary.

In regard to the exploitation of children, I have experienced the pain of parents who have had children exploited in one form or another. When we talk about pornographic images, let us get down to where the rubber hits the road, that is, every time a child's pornographic picture is shown as an image it is again victimizing that child, time and time again. I think that many in the House forget this fact.

Where is the line drawn when it comes to collecting pornography? That is another issue that we have not defined very clearly in the House.

*Government Orders*

Let us get to the point. We have a new government on the other side, or that is what they keep telling us anyway. One would think that at least the new government would use this Parliament to make some legitimate changes in legislation over and above this bill, because it was actually developed by the old government. What is the difference between the old and the new? I think it is obvious to all that there is no difference.

I had hoped that a new government would put some teeth into the bill and would put the protection of children ahead of the so-called public good argument or artistic merit argument of pedophiles. It did not. I guess I was only dreaming. It turns out that this is the same bill with the same faults, which will lead to the same problems for police, for judges and ultimately for Canada's children as well as those who most want to protect children, that is, parents.

The government made a reference to the protection of children in the throne speech. I think we can all remember that. Obviously all that reference merits is this ineffective bill. In fact, the bill is a distraction so that Canadians will not think about the failure of the government to protect children from sexual abuse and exploitation.

Over the past three years, the government has had an opportunity to respond to the threats to our children. John Robin Sharpe was found in possession of pornographic photos of children. He challenged his charges. In 2001, a B.C. court dropped a bomb on parents, police and concerned citizens across the country when it said that in some cases even violent child pornography was legal, citing artistic merit at that time. Since that time, this has been thrown into this public good argument.

Organizations like the Canadian Justice Foundation and Mad Mothers Against Pedophiles, with our party, waited for the government to invoke the notwithstanding clause if necessary. It was called on. We demanded not only the protection of children from sexual predators, but it would trump kiddie porn. We had a glimmer of hope when the government announced the new bill in the last session. When the so-called new government, which is really a warmed over old government, put the protection of children in the throne speech, there was a possible breath of fresh air in the thinking that something would change.

As it turns out, our hopes were false hopes. The bill does not protect children. The bill will at best maintain the status quo and at worst it will mean that child porn and sex with minors are issues that will become fixtures in the Canadian agenda.

• (1715)

The bill was designed by someone who either does not understand the courts and does not understand law enforcement or who does understand both and does not intend to protect our children at all.

For years now we have been calling on the government to raise the age of sexual consent. In fact, today in the House I reintroduced my private member's bill, which seeks to raise the age of sexual consent from 14 to 16. Every time the issue comes up, the government uses the lame excuse that if it raises the age of consent that might criminalize the sexual activity of young people close in age. Everyone knows this is nonsense.

As my colleague from Provencher has argued in the House, all the government needs to do is establish a peer exemption for sexually

active younger teens. In fact, that is precedent in our courts today: peer exemption. The government chose instead to create a category of sexual exploitation aimed at protecting children between the ages of 14 and 18.

That is an interesting category. Our party's senior justice critic has comments about that. I have a lot of respect for our senior justice critic, unlike those in the NDP, because this man sat in the courtrooms of our country handling cases like this time and again. He knows and understands where things go in the courts. He has watched those who have been victimized. He has seen the broken families as a result of the issues we are speaking of that are in our courts today.

This is what our senior justice critic has recorded:

Bill C-12 fails to raise the age of consent for sexual contact between children and adults. Instead, the bill creates the category of "exploitative relationships" aimed at protecting people between the ages of 14 and 18. In determining whether a person is in a relationship with a young person that is exploitative of the young person, a judge must consider—

Here again he is drawing on his knowledge of the court.

—the age difference between the accused and the young person, the evolution of the relationship, and the degree of control or influence by the person over the young person.

That is what the court has to decide. That is what the prosecutor has to argue. That is what the defence and the accused will be about in the courts of the land.

I will continue the quote:

This category is a vague provision that fails to create the certainty of protection that children require. It will not serve as a real deterrent and will simply result in longer trials and more litigation.

As a former police officer, I fully agree with our senior justice critic in understanding the courts, the defence and the arguments that will be presented. In other words, our courts are going to become a platform for the abuser, the accused, to get his message out. He has a doctrine that he wants to put out to the people of this country and now he will have the courts to argue his case. The relationship of the abuser or so-called abuser and the victimized child will be placed in the public domain. I think that is criminal in itself.

• (1720)

It will be up to the court to determine whether or not a relationship is exploitive. Clearly, in making a determination, a judge must take into consideration the age difference between the accused and the young person, the evolution of the relationship, and the degree of control or influence exercised over the young person. This will ultimately tie up our courts, and regrettably, will not guarantee our children the protection they desperately need.

I am talking about our present court system. It is already against the law for someone in a position of trust or authority, or in a relationship of dependency, to be sexually involved with a young person between the ages of 14 and 18. I do not see how this provision is going to help a lot, apart from providing more opportunities, because it would be in the legislation, for the accused and the defence to argue more about the relationship. I find that absolutely unacceptable.



The bill could have dealt with the age of sexual consent, but rather than simply raising the age of consent from 14 to 16, the bill would allow adults to have sex with 14 and 15 year olds unless the adult was in a position of authority. That is the intent of the government.

Parents of 14 year olds, whom I spoke to, shook their heads over that particular clause. Police forces across Canada shudder at what it means. They are already having a difficult time processing what they have under the present legislation.

Child pornography has skyrocketed. It has exploded since the use of the Internet has been employed by pedophiles and pornographers. Police departments across the nation are developing specialized units that just handle this kind of an offence.

In fact, they cannot keep up because the Internet knows no boundaries and no particular country. It is broadly global and these images float about everywhere. It does not matter in what part of the world one is in, one can tap in to them.

The strategies, even for police to sit down and analyze the issue of child pornography, and that is what we are talking about here, are becoming difficult for enforcement agencies worldwide. They need resources to do it.

There is so much in the proposed legislation and the court precedents over pornography that it is difficult for enforcement agencies to wade through it all to prepare a case for court. The present legislation just convolutes the matter even more. It makes it even more difficult.

I have not heard from the Parliamentary Secretary to the Minister of Justice that the government has a plan regarding resources, or is developing a program or initiative that would deal with the issue of pornography.

Everybody has the opportunity to just go out and do it, do what they see through their own eyes as the way they want to portray pornography. At the same time, enforcement agencies are crying for assistance. That is where we are at.

This clause is not only of no use to the police but will have the perverse effect of dissuading police from even investigating cases of sex with 14 year olds or following up on pornographic images of such. Why? Because proving a position of power is vague, almost meaningless and requires all kinds of legal interpretation. It is totally open to challenge, not to mention that it is senseless.

● (1725)

The fact is that some 40 year old can exploit a 14 year old. Images can be taken of that and distributed under what basis? Artistic thought and merit or public good. The argument will go on and on. It will go on in our courtrooms and those will be the platforms from which the pornographers will operate. They will make their gains in the courts because they would be given that opportunity through the legislation that is offered here.

Instead of going to the public, the moms and dads and the grandmas and grandpas out there, this matter has been turned over, unfortunately, to the lawyers and the courts. The same courts that ruled that John Robin Sharpe was an artist. Under this law, an old man will have every right to have sex with a 14 year old he finds on

### *Supply*

the street. The images can be collected and distributed on the Internet. The courts will have a tough time trying to track that down in order to deal with it.

Believe me, just like John Robin Sharpe, all the pornographers and perverts will study the law. I sat in on a court case in British Columbia watching another notorious exploiter of children, Mr. Toft. He sat by his lawyer, and between the two of them they argued the case in court like they were both coming from the legal side of things to have his charges worked through the court. He was not in the docket as an accused but sat right beside his lawyer. Go figure.

This law would actually create an enormous opportunity for child pornographers. It would allow an exception to the ban on child porn where pornographers could demonstrate some public good. As we have seen with John Robin Sharpe and his buddies at the Civil Liberties Association, there is no shortage of people to challenge the law. It will be a heyday for them.

Today we should be prepared that challenges will thrust the most hateful child porn out into the public arena and make celebrities of its authors. That is what is on the road here. We are not talking about artistic views held by the member for Palliser, but the manipulators in our society who will go after our children. There are lots of them out there.

The Liberals could have used the notwithstanding clause to send John Robin Sharpe to prison and be done with it. Instead, they made him a poster boy for legalized pedophilia. This law is all shaped around what he has stated in public. The Liberals had a choice.

It is up to concerned Canadian parents and parliamentarians in the House to guard our children more carefully than ever. We cannot depend on the government across the way because this legislation is, in its viewpoint, its offer to help protect our children. Unfortunately, it has failed miserably.

\* \* \*

● (1730)

### SUPPLY

#### ALLOTTED DAY—AGRICULTURE

The House resumed from February 26 consideration of the motion and of the amendment.

**The Acting Speaker (Mrs. Hinton):** It being 5:30 p.m., pursuant to order made Thursday, February 26, 2004, the House will now proceed to the taking of the deferred recorded divisions relating to the business of supply.

Call in the members.

*And the bells having rung:*

● (1750)

**The Speaker:** The question is on the amendment.

● (1800)

[*Translation*]

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

*Supply**(Division No. 19)***YEAS**

## Members

Ablonczy	Anderson (Cypress Hills—Grasslands)
Bailey	Benoit
Borotsik	Breitkreuz
Burton	Cadman
Casson	Cummins
Day	Doyle
Duncan	Elley
Fitzpatrick	Gallant
Gouk	Grewal
Grey	Hanger
Hearn	Hill (Macleod)
Hill (Prince George—Peace River)	Hinton
Jaffier	Johnston
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
MacKay (Pictou—Antigonish—Guysborough)	McNally
Meredith	Merrifield
Mills (Red Deer)	Penson
Rajotte	Reid (Lanark—Carleton)
Ritz	Schellenberger
Solberg	Sorenson
Stinson	Vellacott
Wayne	White (North Vancouver)
White (Langley—Abbotsford) — 45	

**NAYS**

## Members

Adams	Alcock
Allard	Anderson (Victoria)
Assadourian	Augustine
Bachand (Saint-Jean)	Bagnell
Barnes (London West)	Barrette
Bélangier	Bellemare
Bennett	Bergeron
Bertrand	Bevilacqua
Bigras	Blaikie
Blondin-Andrew	Bonin
Bonwick	Boudria
Bourgeois	Bradshaw
Brison	Brown
Bulte	Calder
Caplan	Cardin
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Clark	Coderre
Collenette	Comartin
Comuzzi	Cotler
Crête	Cullen
Cuzner	Dalphond-Guiral
Desjarlais	Desrochers
DeVillers	Dion
Discepola	Dromisky
Drouin	Duceppe
Duplain	Efford
Eggleton	Eyking
Folco	Fontana
Frulla	Fry
Gagnon (Québec)	Gagnon (Lac-Saint-Jean—Saguenay)
Gagnon (Champlain)	Gaudet
Gauthier	Godfrey
Godin	Goodale
Graham	Guarnieri
Guay	Guimond
Harvard	Harvey
Herron	Hubbard
Ianno	Jackson
Jennings	Jobin
Jordan	Karetak-Lindell
Karygiannis	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laframboise	Laliberté
Lalonde	Lanctôt
LeBlanc	Lee
Leung	Lill
Lincoln	Longfield

MacAulay	Macklin
Malhi	Manley
Marci	Marleau
Martin (LaSalle—Émard)	Martin (Winnipeg Centre)
Masse	Matthews
McCallum	McCormick
McDonough	McGuire
McKay (Scarborough East)	McLellan
Ménard	Minna
Mitchell	Murphy
Myers	Neville
Nystrom	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paquette
Paradis	Peric
Perron	Peterson
Pettigrew	Picard (Drummond)
Pickard (Chatham—Kent Essex)	Plamondon
Pratt	Price
Proctor	Proulx
Provenzano	Redman
Reed (Halton)	Regan
Robillard	Rochelleau
Roy	Saada
Sauvageau	Savoy
Scherrer	Scott
Sgro	Shepherd
Simard	Speller
St-Hilaire	St-Jacques
St-Julien	St. Denis
Steckle	Stewart
Stoffer	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Tonks	Torsney
Tremblay	Vancief
Volpe	Wappel
Wasylycia-Leis	Whelan
Wilfert	Wood— 178

**PAIRED**

## Members

Asselin	Caccia
Fournier	Galloway
Girard-Bujold	Marceau
McTeague	Patry— 8

**The Speaker:** I declare the amendment lost.

The next question is on the main motion.

*[English]*

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

The hon. deputy leader of the government.

*[Translation]*

**Hon. Mauril Bélanger:** Mr. Speaker, if you were to seek it, I think you would find unanimous consent that the members who voted on the previous motion be recorded as having voted on the motion now before the House, with the Liberal members voting nay, except those who indicate otherwise.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.*[English]*

**Mr. Dale Johnston:** Mr. Speaker, Conservatives in the House tonight who voted on the previous motion will vote on this motion in the affirmative.

*Government Orders*

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, members of the Bloc Québécois will vote in support of this motion.

**Mr. Yvon Godin:** Mr. Speaker, members of the NDP will vote in support of this motion.

[English]

**Mr. John Herron:** Mr. Speaker, I can confirm that both Progressive Conservatives will be voting in support of the motion.

**Mr. Ovid Jackson:** Mr. Speaker, I vote for the motion.

**Mr. Murray Calder:** Mr. Speaker, I will be voting in favour of this motion.

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

(Division No. 20)

**YEAS**

Members

Ablonczy	Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)	Bailey
Benoit	Bergeron
Bigras	Blaikie
Borotsik	Bourgeois
Breitkreuz	Burton
Cadman	Calder
Cardin	Casson
Clark	Comartin
Crête	Cummins
Dalphond-Guiral	Day
Desjarlais	Desrochers
Doyle	Duceppe
Duncan	Elley
Fitzpatrick	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gallant	Gaudet
Gauthier	Godin
Gouk	Grewal
Grey	Guay
Guimond	Hanger
Heam	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hinton	Jackson
Jaffier	Johnston
Laframboise	Lalonde
Lill	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Martin (Winnipeg Centre)	Masse
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Nystrom	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Proctor	Rajotte
Reid (Lanark—Carleton)	Ritz
Rochelleau	Roy
Sauvageau	Schellenberger
Solberg	Sorenson
St-Hilaire	Steckle
Stinson	Stoffer
Tremblay	Vellacott
Wasylcia-Leis	Wayne
White (Langley—Abbotsford)	White (North Vancouver)— 90

**NAYS**

Members

Adams	Alecock
Allard	Anderson (Victoria)
Assadourian	Augustine
Bagnell	Barnes (London West)
Barrette	Bélangier
Bellemare	Bennett

Bertrand	Bevilacqua
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brisson
Brown	Bulte
Caplan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Coderre
Collenette	Comuzzi
Cotler	Cullen
Cuzner	DeVillers
Dion	Discepolo
Dromisky	Drouin
Duplain	Efford
Eggleton	Eyking
Folco	Fontana
Frulla	Fry
Godfrey	Goodale
Graham	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jennings	Jobin
Jordan	Karetak-Lindell
Karygiannis	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laliberte	Lanctôt
LeBlanc	Lee
Leung	Lincoln
Longfield	MacAulay
Macklin	Malhi
Manley	Marcil
Marleau	Martin (LaSalle—Émard)
Matthews	McCallum
McCormick	McGuire
McKay (Scarborough East)	McLellan
Minna	Mitchell
Murphy	Myers
Neville	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paradis
Peric	Peterson
Pettigrew	Pickard (Chatham—Kent Essex)
Pratt	Price
Proulx	Provenzano
Redman	Reed (Halton)
Regan	Robillard
Saada	Savoy
Scherrer	Scott
Sgro	Shepherd
Simard	Speller
St-Jacques	St-Julien
St. Denis	Stewart
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Tonks
Torsney	Vanclief
Volpe	Wappel
Whelan	Wilfert
Wood— 133	

**PAIRED**

Members

Asselin	Caccia
Fournier	Galloway
Girard-Bujold	Marceau
McTeague	Patry— 8

**The Speaker:** I declare the motion lost.

\* \* \*

● (1805)

**FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT**

The House resumed from February 27 consideration of the motion that Bill C-18, an act respecting equalization and authorizing the Minister of Finance to make certain payments related to health, be read the third time and passed.

*Government Orders*

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at the third reading stage of Bill C-18.

The hon. deputy leader of the government.

[*Translation*]

**Hon. Mauril Bélanger** Mr. Speaker, if you were to seek it, I believe you would find unanimous consent that members who have voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yes, except those who indicate otherwise.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

[*English*]

**Mr. Dale Johnston:** Mr. Speaker, Conservatives in the House tonight will vote yes on this motion, except for those who wish to vote otherwise.

[*Translation*]

**Mr. Michel Guimond:** Mr. Speaker, the members of the Bloc Québécois will vote against this motion.

I would ask the Chair to delete from the list the names of the hon. members for Rimouski—Neigette-et-la Mitis and Drummond, who had to leave.

[*English*]

**Mr. Yvon Godin:** Mr. Speaker, members of the NDP are voting yes to this motion.

**Mr. John Herron:** Mr. Speaker, both members of the Progressive Conservative Party will be supporting this motion.

**Mr. Murray Calder:** Mr. Speaker, I will be voting in favour of this motion.

**Mr. Paul Steckle:** Mr. Speaker, I want my vote recorded as voting yes on this motion.

**Mr. Ovid Jackson:** Mr. Speaker, I am in favour of the motion.

[*Translation*]

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

(*Division No. 21*)

**YEAS**

Members

Ablonczy	Adams
Alcock	Allard
Anderson (Victoria)	Anderson (Cypress Hills—Grasslands)
Assadourian	Augustine
Bagnell	Bailey
Barnes (London West)	Barrette
Bélanger	Bellemare
Bennett	Benoit
Bertrand	Bevilacqua
Blaikie	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Breitkreuz
Brisson	Brown
Bulte	Burton
Cadman	Calder

Caplan	Carroll
Casson	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Clark	Coderre
Collenette	Comartin
Comuzzi	Cotler
Cullen	Cummins
Cuzner	Day
Desjarlais	DeVillers
Dion	Discepola
Doyle	Dromisky
Drouin	Duncan
Duplain	Efford
Eggleton	Elley
Eyking	Fitzpatrick
Folco	Fontana
Frulla	Fry
Gallant	Godfrey
Godin	Goodale
Gouk	Graham
Grewal	Grey
Guarnieri	Hanger
Harvard	Harvey
Hearn	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hinton	Hubbard
Ianno	Jackson
Jaffer	Jennings
Jobin	Johnston
Jordan	Karetak-Lindell
Karygiannis	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Lablanc	Lancôt
LeBlanc	Lee
Leung	Lill
Lincoln	Longfield
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Macklin	Malhi
Manley	Marcil
Marleau	Martin (LaSalle—Émard)
Martin (Winnipeg Centre)	Masse
Matthews	McCallum
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan	McNally
Meredith	Merrifield
Mills (Red Deer)	Minna
Mitchell	Murphy
Myers	Neville
Nystrom	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paradis
Penson	Peric
Peterson	Pettigrew
Pickard (Chatham—Kent Essex)	Pratt
Price	Proctor
Proulx	Provenzano
Rajotte	Redman
Reed (Halton)	Regan
Reid (Lanark—Carleton)	Ritz
Robillard	Saada
Savoy	Schellenberger
Scherrer	Scott
Sgro	Shepherd
Simard	Solberg
Sorenson	Speller
St-Jacques	St-Julien
St. Denis	Steckle
Stewart	Stinson
Stoffer	Telegdi
Thibault (West Nova)	Thibault (Saint-Lambert)
Tonks	Torsney
Vanclicf	Vellacott
Volpe	Wappel
Wasylycia-Leis	Wayne
Whelan	White (Langley—Abbotsford)
White (North Vancouver)	Wilfert
Wood — 195	

*Private Members' Business*

**NAYS**

Members

Bachand (Saint-Jean)	Bergeron
Bigras	Bourgeois
Cardin	Crête
Dalphond-Guiral	Desrochers
Duceppe	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Guay	Guimond
Laframboise	Lalonde
Ménard	Paquette
Perron	Plamondon
Rocheleau	Roy
Sauvageau	St-Hilaire— 26

**PAIRED**

Members

Asselin	Caccia
Fournier	Galloway
Girard-Bujold	Marceau
McTeague	Patry— 8

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

[*English*]

**The Speaker:** The House will now proceed to the consideration of private members' business as listed on today's Order Paper.

**PRIVATE MEMBERS' BUSINESS**

● (1810)

[*Translation*]

**THE ACADIANS**

The House resumed from February 11 consideration of the motion.

**Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I am pleased to respond today to Motion No.382 by the hon. member for Verchères—Les-Patriotes.

As we all know now, since this issue has been raised in the House a number of times, Motion No.382 asks, as part of the procedures set in motion by the Société nationale des Acadiens:

That a humble Address be presented to Her Excellency praying that ... she will intercede with Her Majesty to cause the British Crown to recognize officially the wrongs done to the Acadian people in its name between 1755 and 1763.

I am among those who thought this issue had been settled to the satisfaction of all parties directly affected. We now have, I am proud to say, a royal proclamation that recognizes the historical fact of the Deportation of 1755, as well as the hardships and suffering of the Acadians at that time.

The hon. member who is moving this motion was present with me on December 10, 2003, when the government of Canada announced the royal proclamation designating July 28 of each year, beginning in 2005, as a Day of Commemoration of the Great Upheaval. "All of Canada recognizes the birthplace of the Acadians", said the Minister of Canadian Heritage at the time, the hon. member for Hamilton East. We must assume our responsibility with respect to all of our history, both the moments of glory and the tragedies. We will have an opportunity to reflect on this aspect once a year, on July 28.

At that ceremony on December 10, the President of the Société nationale de l'Acadie emphasized that the proclamation showed the level of maturity which Canadian society has reached in terms of respecting diversity. The president saw this as more than simply a sign of respect for the Acadians; he saw in it a recognition of the importance of cultural diversity in our country, as a cornerstone of its strength and prosperity.

"Acadians are proud of their culture and their identity", added the president. They have learned that it is possible to live as a people within this great country of Canada, just as it is possible to be a part of Canada's francophonie and the big family of international Francophonie.

Everyone there was moved to tears by the testimony we heard last December 10. I am a history buff and every time I read about the Acadian deportation, I learn something new. This was a tragic event, whose memory is painful. What happened to the Acadians cannot, must not, be forgotten. Unfortunately, in the past, many Canadians may have forgotten about it.

Their history will not be transformed into a mere folktale, a story told by the elders; it will remain forever as a tragic part of their forefathers' reality. I hope that our history books, our classrooms and our museums, big and small, will teach young Canadians of today and tomorrow about the tragedy of the deportation, and particularly about the heroic rebirth of the Acadian people.

During last year's debates on this subject, some members said that telling our young people that it was a historic event was not enough, if we wanted them to have a proper grasp of its terrible reality. They felt we needed to consult the historical references in our history books to make sure that children are being given sufficient information to properly grasp the enormity of what the Acadians went through between 1755 and 1763, and for a number of years afterward as well.

● (1815)

We also need to examine whether these events are properly covered in our Canadian history books. Are other historical events also explained as clearly as they should be?

The deportation of the Acadians is a chapter in our history that must not be forgotten. We can all turn to that period and wish that this or that event had not taken place, or had turned out differently. But there is nothing at all that can be done about it. We cannot change the past, except in our dreams.

In my opinion, it is time we moved on. We have read the page and must not forget it, but it is time we turned the page. We may need to refer back to it to refresh our memory, but it will always be there.

Today's values have roots in the experiences of our shared past. This experience and the lessons we learn from it are what shapes the identity of Canadians today, as people who are respected and respectful, open-minded, tolerant, dynamic. Acadians are a hard-working people. The entrepreneurial spirit of the Acadians is reflected in the strength of their institutions, their university, companies like Assumption Life and others, and many educational facilities.

*Private Members' Business*

They are part of what ensures Canada is successful and prosperous. The Canadian government recognizes their dynamic nature and vital contribution to life in Canada. Everyone in the House recognizes this, at least I hope so. They are among the seven million Canadians who, like me, speak, sing, write, work—I play music—and live in French. These francophones are proof of a formidable vitality and extraordinary determination to grow and spread across a mostly anglophone continent.

There are many urgent issues relating to the official languages that need to be resolved. I am the chair of the parliamentary committee considering these issues. Minority communities, the Fédération des communautés francophones et acadienne du Canada and the Société nationale de l'Acadie, among many others, are categorical: they want job creation, health services in French, legal services in French, education and early childhood development, to name but a few.

We could also consider Bill S-4 by Senator Jean-Robert Gauthier, which will soon be introduced in this House. Apparently, I will have the honour of sponsoring this bill in this place to make Part VII of the Official Languages Act mandatory. These are tangible initiatives that need to be addressed now.

Naturally, the government is keenly interested in the future of the Acadian community. We all are. The Congrès mondial acadien will be held very soon on the occasion of the 400th anniversary of Samuel de Champlain's arrival. I intend to participate in it, as I did last time in Louisiana, or, as the locals say, in Louisian. I had the great pleasure of spending time with them.

However, I am not of the opinion that we should adopt this motion today. I think it is a bad idea for three reasons. I am not the only one to think so. First, we have approved the royal proclamation initiative.

Second, I think that the principle of demanding an apology through the head of State of another country brings us back, in a way, to colonial times. I do not partake in such activities. We are an independent and proud country. Francophones in this country are proud too. I think this is a bad idea.

Third, what kind of precedent would such an initiative set?

• (1820)

Where are we going with this? Will we make the same kind of demand with respect to the revocation of the Edict of Nantes?

We could talk about the loyalists in my riding. Are we going to ask the United States government to apologize for the way my loyalist constituents were treated?

I see a Bloc MP saying yes. He is free to think so, but that is not how I see it. I am asking my colleagues to vote against this motion. It is a matter of asserting our pride in being francophones today and when we vote on this motion, and not adopting this motion put before the House.

**Mr. Scott Reid (Lanark—Carleton, CPC):** Madam Speaker, it is with regret that I will vote against Motion No.382. My reasons for doing so are twofold.

One, I feel that this motion is based on a faulty premise, namely that guilt can be collective and can be passed on from one generation to the next.

Two, despite the good intentions of those who drafted it, the motion seems to attribute ultimate responsibility for the expulsion of the Acadians to the Crown, which is not an accurate reading of the events of 1755. A more historically accurate reading would lay blame with the colonial governors of New England and the pioneers they represented.

I will begin with the historical argument and come back later to the philosophical one.

Many of the facts surrounding the deportation of the Acadians are unchallenged. In 1755, the colonial authorities began a process of uprooting and deporting that part of the Acadian population which had settled on British lands, beginning with the centre of the Acadian colony along the east shore of the Bay of Fundy.

Nova Scotia's Governor Lawrence, and Governor Shirley, commander in chief of the British forces in New England, began by seizing colonists' firearms to prevent them from using force to resist. Then they took a large number of adult males hostage in order to guarantee the docility of their families at the time of deportation.

In the years that followed, approximately three quarters of the total Acadian population, or 13,000 people, were deported. Some of these people were sent to New England, others to Louisiana, and still others were returned to France.

Although we know with certainty the degree of suffering caused by the deportations between 1755 and 1763, it is much more difficult to pin down historic responsibility for them. One thing is certain and that is that governors Lawrence and Shirley were at the heart of the decision making and must bear ultimate responsibility. But nothing proves that they acted with the approval of the Parliament of Westminster. According to the most commonly accepted version of events, Lawrence acted with the authorization of the local council in Nova Scotia, and parliament and King George did not take part in the planning of the deportations.

Nonetheless, Her Majesty Queen Elizabeth II recently chose to address this issue, deferring a decision on any apology to the Canadian cabinet. As we are all aware, cabinet recently dealt with this issue and, in December 2003, the Governor General signed a royal proclamation regarding this issue. Excerpts from the proclamation read as follows:

Whereas the deportation of the Acadian people, commonly known as the Great Upheaval, continued until 1763 and had tragic consequences, including the deaths of many thousands of Acadians—

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Canadian Heritage, directs—

—that a Proclamation do issue designating July 28 of every year, beginning in 2005, as "A Day of Commemoration of the Great Upheaval".

I commend the decision of the government to issue this proclamation, one which seems entirely appropriate to me. I believe there is a legitimate expectation that all participants in the public life of a civilized society should adopt a moral attitude toward the past. A moral attitude involves recognizing and embracing those past actions which are regarded as good and just, and rejecting those which are regarded as unjust or monstrous. The acknowledgement of the “trials and suffering experienced by the Acadian people” and the designation of an annual day to commemorate this unfortunate chapter in our history is an appropriate way to address this unfortunate episode.

In contrast to the proclamation issued by the Crown, the motion before the House explicitly requests an apology for this historical wrong.

● (1825)

This is a very different concept based on the idea that guilt for a past injustice can be passed on, institutionally and collectively, in precisely the same way that the residual effects of that wrong continue to have some impact on the descendants of those who suffered the initial wrong. This is simply untrue.

I do not accept the notion that an institution can maintain a heritage of collective guilt which is imposed upon successive generations of those who become members of that institution or who fall under its protection. An attitude of collective guilt or responsibility, or worse yet, of expecting others to assume a mantle of guilt or responsibility for acts in which they themselves did not take part, strikes me as being of no utility at all.

A debate similar to the one taking place today took place in this House 20 years ago on Pierre Trudeau's last day as Prime Minister. He was asked by Brian Mulroney in oral question period to issue an apology for the wartime internment of Canadians of Japanese descent. Trudeau's response revealed a subtle grasp of the distinction that I am attempting to draw here today.

Mr. Trudeau said:

I do not see how I can apologize for some historic event to which we... were not a party. We can regret that it happened. But why... say that an apology is much better than an expression of regret?

I do not think that it is the purpose of a government to right the past. It cannot rewrite history. It is our purpose to be just in our time—

I agree with this reasoning. With regard to the great upheaval, the parties who suffered such discrimination died long ago, as did those responsible. The British Empire, in whose name these wrongs were perpetrated, no longer exists, and the mercantilism on which it was founded was firmly and totally rejected by the crown and the British state. However, the most important factor to be considered is perhaps that the British colonies in New England, in whose name the wrongs were committed, ceased to exist as political entities over 200 years ago, when the United States claimed its independence.

Consequently, there is no one or no organization that can honestly recognize its guilt or suffer the justified indignation of others.

This does not excuse us from a responsibility to adopt a moral attitude of condemnation toward this great wrong any more than we can adopt an attitude of moral neutrality toward the monstrous evils of more recent times. As moral actors, we need to recognize the

### *Private Members' Business*

existence of these past wrongs, to identify them to our fellow citizens and to do all that we can to ensure that no modern version of this wrong can occur. In this respect, I would like to applaud the sincere efforts of the hon. member for Verchères—Les-Patriotes, whose aim is to perpetuate the memory of this tragic episode in our history.

Nevertheless, I believe that the recent royal proclamation, which recognizes the issue without making an official apology, is sufficient to express our sorrow over this past wrong and allows us, without condemning others, to indicate our determination that no such wrong will ever in the future be tolerated on Canadian soil.

Consequently, I must vote against this motion and encourage my colleagues to do the same.

● (1830)

[*English*]

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Madam Speaker, I want to indicate at the outset that I certainly support the motion before the House today, and I want to say that people should read the motion very carefully. It does not ask for an apology. Indeed, it asks that the Queen recognize officially the wrongs that were done to the Acadian people between 1755 and 1763, and that the Queen, when she is there in 2005, recognize that a great wrong, a great injustice, was done to the Acadian people.

That is what this motion is asking. I do not find that a great problem. The motion is well drafted. It is a very polite motion asking that our Governor General convey to the Queen that Parliament wishes that she recognize, when she is speaking to the Acadian people, that there was a great wrong done in 1755 to 1763.

I really appeal to the House to support this motion as overwhelmingly as we possibly can. It is not a partisan motion. It is a motion to recognize that a wrong was committed. Historically it is one of the great wrongs of our history. People were deported from their homes to Louisiana, to the southern part of the United States. Families were separated and people were uprooted. They lost their properties, they lost their friendships and they lost their communities.

● (1835)

[*Translation*]

It was a sad day in Canadian history. A lot of sad things happened in our past that affected many people, whether they were Japanese Canadians, native Canadians, or our First Nations. Many injustices were carried out by our predecessors.

The Acadian people are among those who were very unfairly treated by the government of that time, a colonial government, not the Government of Canada. It was that colonial government that deported the Acadian people to the United States.

[*English*]

This was a great injustice. Communities were torn apart. People were deported. They were sent out of the country. All of this was done by the colonial government. I do not think we should be so timid and so afraid. It is not an insult to the Queen to make this kind of request that she say that something terribly wrong was done many years ago.

*Private Members' Business*

I want to state very clearly that this motion, proposed by the member for Verchères—Les-Patriotes and seconded by the member for Acadie—Bathurst from the New Democratic Party, is a motion that we all should be supporting.

Some people ask why we would do this. I was in the House in 1984 when Pierre Trudeau was prime minister for the last day, and Brian Mulroney, the leader of the opposition, the former leader of the Conservative Party of Canada, got up and asked that very question. The member of the Conservative Party from the Ottawa area read former Prime Minister Pierre Trudeau's response. I did not agree with that response. I think it is very important for the well-being of the whole of our country that we do recognize when wrongs are committed and that we do try to apologize—and this motion does not even say apologize—for those great wrongs and injustices that were committed many years ago.

It is rather sad to reflect upon the history of humans. Human beings have often been very inhumane in the way we have treated each other historically. We have had genocides in the world. We have had mass expulsions in the world. We human beings have executed thousands and thousands of people around the world. We are hopefully becoming a little more civilized. One way of being more civilized is to say to the Acadian people that what happened many years ago was wrong. It was an historical wrong. It was morally wrong, and it should not have happened.

We cannot do anything about it now in a substantive sense, but we can say officially, as the Parliament of Canada, that what happened was wrong, and ask that when the Queen, the sovereign, is speaking to the Acadian people, she also say that it was the wrong thing, that it was something that was regrettable and should not have happened. I think that would go a long way toward saying to the Acadian people that we respect them, that they are equal partners in this great country of ours, and that what happened was very wrong. The very least we can do is have the sovereign say this in 2005 when she speaks to the Acadian population.

[*Translation*]

I have studied the history of our country. In the last 300 years, the French-speaking Acadian people have made a truly great contribution to our nation. There are still many Acadians in Canada, and the hon. member for Acadie—Bathurst is among those who have greatly contributed to our country. I would like to commend the Bloc member for Verchères—Les Patriotes for his motion, and I hope members of all parties will vote in favour of this motion.

**Mr. Roger Gaudet (Berthier—Montcalm, BQ):** Madam Speaker, it is with great pride that I speak today to Motion No.382 put forward by my colleague from Verchères—Les-Patriotes, which was amended and now reads as follows:

That a humble Address be presented to Her Excellency praying that, following the steps already taken by the Société Nationale de l'Acadie, she will intercede with Her Majesty to cause the British Crown to recognize officially the wrongs done to the Acadian people in its name between 1755 and 1763.

First, let us recall the historical event of 1755. In the 19th century, American writer William Faulkner said, "The past is not dead. In fact, it's not even past". Henri Lacordaire, a member of the Académie française said, "History is the memory of immortalized centuries... A man without history is in his grave; a people that has not written its history has not yet been born".

What a past. If the Acadian people had not yet been born, they certainly were during the painful exodus when children, women and men obeyed the official order of Lawrence, who forced them to leave their land, homes and belongings for an unknown and foreign destination.

We can just hear John Winslow reading the deportation edict in a small church in the village of Grand-Pré, on September 5, 1755:

I have received from His Excellency, Governor Lawrence, the instructions of the King. It is by these orders that you are assembled in order to hear the final resolution of His Majesty concerning the French inhabitants of this province of Nova Scotia... It is ordered that your lands and tenements, cattle of all kinds and livestock of all sorts, be forfeited to the British Crown, along with all other effects, saving your money and household goods and you, yourselves, be removed from this Province. The peremptory orders of His Majesty are that all the inhabitants of this district be deported.

Even though the British Crown did not intend to physically eliminate these people, it must be kept in mind that entire families disappeared from the surface of the earth.

With Antoine Bernard, a professor at the University of Montreal, a question remains. The author says that:

At the heart of this tragedy there will always remain a dark area, a dark area that the most perceptive lens cannot definitively explore: the area of responsibility. Must we accuse only Lawrence of this wrongdoing? Or must we see behind him "the instructions of His Majesty", which Winslow referred to in his proclamation in September 1755? Did Winslow, Murray and Lawrence, who were guiding them, lie by using the name of old George II to commit their vile attack?

Moreover, we may ask whether the historian Robert Rumilly is accurately reporting the events in his book entitled *Histoire des Acadiens*, when he says this about Lawrence:

The enforcer of the deportation of the Acadians is thus officially approved, commended and promoted. The British government is endorsing, if it did not formally order, the action taken by its top officials in America.

In the newspaper *Le Devoir*, we can read how outraged François Baby, a professor at Laval University, is when he writes that:

—As a soldier in Acadia and the Quebec region, Monckton indeed committed some unacceptable and extremely cruel acts that undoubtedly equate with crimes of genocide, crimes against peace, war crimes and crimes against humanity as we define them today.

The tragedy of the Acadians has, for two centuries, provided poets with a source of inspiration, while also being studied closely by historians. Who does not remember the immortal *Evangeline* by Longfellow, a 19th century American author? It is a very beautiful poem whose heroine, Evangeline, searches all her life for her fiancé, Gabriel, and finally finds him just as he is about to depart this life. This poem is a concrete illustration of what the Acadians lived through: the separation of families, illness, death, absence, exile, uncertainty of all kinds, a very minimal well-being.

Some would call the poem romantic while others see an undeniable honesty of the heart. As Yves Cazaux writes in *L'Acadie, histoire des Acadiens*:

The 1844 poem screams out the truth of the most painful history ever, without weakness, without convention or invention, only reality.

Today, on the eve of the 250th anniversary of that fateful day of September 5, 1755, is there a glimmer of hope in this dark sky? With the royal proclamation of December 10, 2003, which makes July 28 the Day of Commemoration of the Great Upheaval, as of September 5, 2004, we might believe there is.



*Private Members' Business*

• (1840)

After more than 240 years, it has finally been officially recognized in the history of Canada that an unspeakable tragedy truly did take place, and that it is not an invention or the imaginings of a people seeking attention, as the text of the proclamation confirms:

—the deportation of the Acadian people, commonly known as the Great Upheaval, continued until 1763 and had tragic consequences, including the deaths of many thousands of Acadians from disease, in shipwrecks, in their places of refuge and in prison camps in Nova Scotia and England as well as in the British colonies in America—

It is a step forward, we must admit, and it is a good beginning, but there is still a long road ahead before all Acadians feel placated about the wrongs done to their ancestors between 1755 and 1763.

The main problem with this royal proclamation, is that only the Acadians of Canada are formally addressed by this solemn gesture, because, unfortunately, it is not the British Crown that recognizes the wrongs of the Great Upheaval in this royal proclamation, but only the Crown of Canada. And so what does that mean for the Acadians who were deported all through the Americas and to Europe, and who live in those places now? Are they not entitled to recognition, too?

I also want to state that, in my opinion, it is quite strange for the Canadian government to recognize injustices for which it bears no responsibility. That responsibility, morally anyway, belongs to the authority in whose name those injustices were committed and which, incidentally, still exists today. I am referring to the British crown.

The matter, therefore, remains unresolved. When can the Acadian people hope to see the real wrongdoer, the British crown, officially recognize the harm done by the deportation?

Will the British crown restore, two centuries later, our pride in our origins? Will it attempt to bandage the wound carved into our collective Acadian history? Will the British heed the example of the many other countries that have recognized their past mistakes?

In this day and age, the world is experiencing a vast movement to rehabilitate the historic memory of those peoples who have suffered. We need only think of the Maori, Japanese-Canadians, the victims of apartheid, the children of Duplessis or the Vatican's apologies to the Jewish people, in particular.

Since we are living in an age of reconciliation among peoples and apologies for the wrongs done over the course of history, can we hope that the British crown, and not just the Canadian crown, will do as much with regard to the Acadian people?

The royal proclamation of last December 10 raises another issue and University of Ottawa professor Joseph-Yvon Thériault commented on this in an article in the *Le Devoir* of January 15 as follows:

Where does Canadian recognition of the Acadian deportation fit in as a memorial process? There is no doubt, as Donald J. Savoie has said, that the deportation of the Acadians is an example of the phenomenon we today call "ethnic cleansing", and its integration into Canadian hearts and minds can serve to prevent such things from happening again. The way this recognition is being achieved, however, is making it into a commonplace event.

It would be a dangerous thing to trivialize a tragedy like the deportation of the Acadian nation between 1755 and 1763, by trying to rush things, as was done with the royal proclamation, concocted

hurriedly and secretly by a few members of the previous cabinet who felt they were walking a tightrope and wanted to leave this testimonial of openness for posterity, after having fought it tooth and claw until then. The goal: to try to convince the Acadians that they had finally obtained justice and consequently that all's well that ends well, when that is definitely not the case.

The British Crown is duty bound to recognize officially the wrongs done to the Acadian people in its name. This is why we hope that Her Majesty will graciously accept the invitation extended to her by the Canadian government to come and read the proclamation. We believe that the ideal time for an event of such import would be either the 250th anniversary of the deportation of the Acadians, in 2005, or the 400th anniversary of the founding of Acadia in 2004.

Great Britain cannot continue to refuse to acknowledge this terrible tragedy as still more centuries pass, when this event left such a wound in the flesh of a community of peace-loving and hard-working people, a wound inflicted on it by those who had authority over it at the time.

Will Her Majesty dare to acknowledge the flagrant wrongs done to the Acadian people from 1755 on? Parliamentarians here have the power to ensure that the wishes of the Acadians can at last be fulfilled. This unique opportunity must not be let slip. We must vote in favour of the motion by my colleague from Verchères—Les-Patriotes.

Like Bona Arsenault, we believe:

Their past was a tragedy, and its acknowledgement today is the consolation they have been waiting for for nigh on 250 years. Is that enough?

All aboard for Acadia in 2005.

• (1845)

**Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ):** Madam Speaker, I would like to thank my colleague from Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques to whom I owe this opportunity to debate Motion No.382 today. This is surely the last speech that will be given in this House during this session on the deportation of the Acadians, since everything points to the dissolution of Parliament very shortly.

That said, it is very likely that this will not be the last time we have an opportunity to debate this subject here, because I am determined to be re-elected and, who knows, to raise this matter again, in order to at last gain recognition by the British Crown of the wrongs done to the Acadian people.

It would, however, be a disservice to me to claim, as some have done without any hesitation, that this debate arises solely out of my stubbornness, and that this time it is a new effort on my part following on the royal proclamation of last December.

*Private Members' Business*

The parliamentary process being theoretically independent of the decisions of the governor in council, Motion No.382 could not be dropped from the Order Paper of the House of Commons merely because of the royal proclamation. If we now find ourselves having to debate Motion No.382, and then to vote on it, this is essentially the result of the carelessness of the authors of this proclamation who, in their desire to keep me out of the loop at all costs, foolishly neglected to think about what would become of this motion.

At this point, the fate of the motion, which was merely returned to the order of business, no longer depends merely on the wishes of the member who is behind it, but on that of the entire House. It could not, therefore, have been withdrawn from the Order Paper except with the unanimous consent of the House. That, incidentally, could still happen today. I am not therefore prepared to accept others maliciously trying to lay the blame at my feet for a situation which seems to really be bothering my Liberal colleagues, as we embark on this special year which marks the 400th anniversary of the founding of Acadia and also, and most particularly, as we are on the verge of an election call.

It is most unfortunate that today we are having to force a vote on Motion No.382, something I have tried my utmost to avoid.

I had wanted to discuss the issue with my Liberal Acadian colleagues, but no such luck. At the last minute, the Minister of Labour unexpectedly cancelled the meeting scheduled for this purpose. She was the one who kept saying during the debate on Motion No.241 that I should have taken the time to talk to her.

Yet all I wanted was either to have Motion No.382 simply withdrawn or to have the House of Commons fully back the government's fine initiative—following the informal steps announced by the former heritage minister—to have a formal invitation sent to Her Majesty asking her to come and read the text of the royal proclamation.

I was looking forward to the conclusion of this debate. Not only had the government decided to make the royal proclamation public, but the new Prime Minister, who had been in favour of my initiative last summer, said he wanted to establish a new climate of cooperation with Parliament, particularly with the opposition parties.

With the royal proclamation in the picture, I realized that Motion No.382, as initially worded, seemed somewhat outdated. I was prepared to change it. My hopes were cruelly dashed.

Those Liberal colleagues who have thus far spoken on the issue have shown a narrowly partisan, dogmatic and overly simplified attitude, not wanting to appear to be negotiating anything with a common separatist such as myself, at the risk of seeing Motion No.382 defeated. They trotted out the same tired old arguments, delivered the same extreme, fractious speeches that have nothing to do with the heart of the issue.

They seem to have put the interests of the Liberal Party of Canada ahead of the interests of the Acadian people. Obviously, these colleagues are having a hard time letting go of the culture of confrontation that the former prime minister seemed to encourage. Their uncompromising and even hostile attitude toward separatists, which underlies their fundamental position toward any step I might take on this issue, does not send a message of unity, but rather tends

to reinforce the notion that sovereignists do not have, or no longer have, a place in Canada.

Some day, they will have to face the fact that almost half of all Quebecers have at some time supported the idea that Quebec should become a sovereign state. Either they deal with half the people of Quebec or they continue to avoid millions of Quebecers like the plague, maintaining in place a process that is getting us nowhere but is slowly but surely ruining Canada.

• (1850)

The position taken by some of our Conservative colleagues is no better. After showing great openness in massively supporting the amendment to Motion No.241, they are now raising issues that have nothing to do with the terms of Motion No.382, which is word for word identical to the proposed amendment.

Let us be very clear once and for all. The current motion is not asking today's generation to carry the responsibility for the wrongs done 250 years ago. In fact, responsibility is not even mentioned in the motion. The motion only asks the British Crown to officially acknowledge the wrongs done to the Acadian people in its name.

It is not asking for history to be rewritten or revisited. It is only asking to acknowledge the obvious.

I do hope my hon. colleagues will vote in favour of this motion.

[*English*]

**The Acting Speaker (Mrs. Hinton):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mrs. Hinton):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mrs. Hinton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mrs. Hinton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mrs. Hinton):** In my opinion the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Mrs. Hinton):** Pursuant to order made on Monday, March 8, the division stands deferred until Wednesday, March 10 immediately after Notices of Motions for the Production of Papers.

## ADJOURNMENT PROCEEDINGS

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

• (1855)

[*English*]

### GOVERNMENT CONTRACTS

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Madam Speaker, I rise in this adjournment debate as a consequence of the response given to me by the Minister of Agriculture.

I had posed a question to the President of the Treasury Board concerning the government's practice of providing lucrative untendered contracts to friends of the party. I can appreciate why the minister was too embarrassed to provide a factual answer.

In the minister's response, he stated that he personally had a chance to look at the particular instance of an untendered contract and went on to state that in fact there was no videographer, that in fact there was no video and that in fact there was no cost, when in fact he was wrong on all three accounts.

The honourable thing for the minister would have been to stand in his place and correct the record. Instead, in the abuse of parliamentary rules, the deputy House leader was dispatched to the House later on Friday afternoon after question period to give the response to the question that the Minister of Agriculture was too embarrassed to give. What better time to give the answer in hopes that nobody was listening to that grudging apology.

Parliament still has not been informed as to the cost of that untendered contract, and I look forward to hearing the government disclose the cost today.

As it was subsequently pointed out by the member for Acadie—Bathurst, the question period is for the opposition to ask questions and for the government to provide answers. This is our constitutional role. If anything speaks to the democratic deficit, it has to be when ministers of the crown are less than forthcoming in their answers to the members of the official opposition.

Canadian taxpayers are absolutely outraged at the waste of their hard-earned dollars when it comes to things like the Liberal ad scam. Nothing encourages a culture of corruption like untendered contracts. They do not pass a smell test and the Minister of Agriculture knows it.

Liberal members are quick to scream that it is character assassination against the individuals who receive these contracts when the official opposition challenges untendered contracts. These contracts are wrong and the government knows it.

Untendered contracts contribute to the culture of Liberal corruption that is inherent in the Chrétien legacy. It lives on in the finance minister from those years, now the Prime Minister, who claims he knew nothing about it.

The real tragedy, when the Liberal Party squanders taxpayer dollars, is who is hurt by this waste. If anything demonstrated the dream world in which the millionaire Prime Minister lives, it was the

### *Adjournment Debate*

surprise on his face during his recent visit to eastern Ontario about the plight of our children.

Liberal government policies are impoverishing the people of rural Canada and nowhere is that more evident than on the faces of our children. Every dollar that is skimmed off into the dirty hands of some Liberal ad man is one less dollar available to fight child poverty.

Child poverty has increased on the new Prime Minister's watch, and for this he should be ashamed instead of trying to pass the buck. Every dollar that is spent because a contract went untendered is one less dollar available to provide health services to our children, our seniors, our sick and the disadvantaged. It is the most vulnerable of our society who end up paying for the Liberal scandals.

As long as there is government waste there is a need for tax cuts. It is better to leave the money in the pockets of the taxpayers than put it in the pocket of some Liberal lobbyist.

I recently had the opportunity to bring some Renfrew county farmers to Ottawa to meet with the Minister of Agriculture to let him know firsthand just how desperate things are getting on the farm. The next several weeks are crucial to our farmers. They need the money to put in this year's crop. People are pleading with the government to do something.

If the government spent less time trying to dream up ways not to answer questions from the official opposition and more time doing its job, Canada would be a far better place.

• (1900)

[*Translation*]

**Hon. André Harvey (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Madam Speaker, what contributes to spread this negative culture are incorrect statements. I would like to provide some basic information on this issue.

The Minister of Finance, when he was the natural resources minister of Canada, led a mission to promote trade and investment in China, South Korea and Japan from January 22 to February 3, 2000. I will briefly report the facts. Then, we will talk about the money that was supposedly wasted, and you will see that I will be clear.

The purpose of this mission was to promote Canada's leadership and innovation, particularly in the natural resources sector. This mission helped to achieve many goals relating to this sector, which affects the live of all Canadians.

The mission responds particularly to the interests of the Canadian policy, especially with regard to market access, trade, regulatory reforms, sustainable development and climate changes.

This mission offered a great opportunity to expand the natural resources sector, which was already thriving. It opened doors to natural resources businesses so that they could enter the China market and expand into it, and it had many positive and sustainable results.

Since then, China has adopted new building codes to make them compatible with the construction of wood frame houses. This resulted in the opening of new markets for Canadian wood products.

*Adjournment Debate*

Currently, Canadian geomatics and geoscience companies are active in China and provide useful data for the development of that country's natural resources.

In fact, the Chinese recognize Canada as a competitive and world-class provider of minerals and mining expertise.

I can never emphasize enough the fact that the current Minister of Finance did not hire a videographer to record this trade mission to China and that he was not accompanied by someone to produce this film during the mission.

In order to meet the objectives of this mission, the department prepared a video before the mission. That video did explain to Chinese audiences the purpose of the mission and the diversity and skills of Canada's natural resources sector.

The video, which was produced in three languages, that is Mandarin, English and French, was very well received. It proved very useful to overcome the language barrier, particularly since simultaneous translation was not always available.

The video's research and production work was done on a contract basis by an agency selected through a well-defined competitive bidding process. The video cost \$115,000 to produce.

This was a worthwhile investment, as I am sure you will agree, since its goal was to promote Canada's natural resources sector in one of the fastest growing economic regions of the world and to contribute to the positive impact I just mentioned.

The video prepared for the mission was produced by the firm Allard et associés, through a strategic partnership with Columbia Group.

The world economy of the 21st century is characterized by tough competition for markets and investments. Canada needs to have access to foreign markets, foreign investments and new technologies to promote innovation and productivity, to create wealth and to meet the goals our nation has set for itself in terms of quality of life.

These types of missions lay the foundations that position our natural resources sector and related industries as key players in the new knowledge and innovation based economy, and ensure Canada a place of honour and influence among the great nations of the world.

[*English*]

**Mrs. Cheryl Gallant:** Madam Speaker, I am so disappointed. We still did not get the cost for that video. That is why we are having the adjournment debate today.

We want to know how much it cost. What exactly was this video used for? Has it ever been played other than to respond to questions and verify that it existed? Initially, during question period, it was denied that it even existed. How much did it cost? How is this video, paid for by Canadians, going to benefit Canadians? The member opposite said that it was well received. Well received by whom? Helpful for what?

I go back to the phrase that we keep hearing repeated: established tendering process. This established tendering process, be it rigged or even truly tendered in the open market, is exactly why the Liberals

are mired in the scandal today. In fact an economics professor from Ottawa University told me that never in his life had he seen any corruption in Canada—

• (1905)

**The Acting Speaker (Mrs. Hinton):** The hon. Parliamentary Secretary to the Minister of Natural Resources.

[*Translation*]

**Hon. André Harvey:** Madam Speaker, I thank my colleague. I think she was too concerned with preparing her response to listen to the comments I made for four minutes. The video has cost some \$100,000 to produce, following a tendering process conducted in accordance with Treasury Board standards.

We say that an image is worth a thousand words, but an image is worth several trips. It is a working tool. If we want to compete with other nations everywhere in the world, we must be very well equipped.

I would like to repeat to my colleague that the video was produced following a tendering process conducted in accordance with Treasury Board standards and that we see it as an absolutely essential tool for the kind of promotion that the mission wanted to achieve.

I want to commend the minister on his very productive trip to three countries: South Korea, Japan and China. I think that a background video is a most logical choice to showcase all our resources and our most competitive elements.

[*English*]

CITIZENSHIP AND IMMIGRATION

**Ms. Marlene Catterall (Ottawa West—Nepean, Lib.):** Madam Speaker, on February 11, I asked the Minister of Citizenship and Immigration what measures were being taken to speed up citizenship approvals.

In my 15 years as a member of Parliament, I have very seldom dealt with any complaints from constituents about the citizenship process. Recently, many constituents have been approaching my office because approvals are taking more than a year. The standard in this region is approximately 15 months.

For people who have made great personal sacrifices to come here and contribute their skills, or who face danger to escape persecution in their own country, the delay in becoming a citizen now creates further barriers to becoming fully integrated, contributing Canadians.

Many jobs require Canadian citizenship. The delays in approving citizenship mean that many are employed well below the level of skill that would allow them to contribute more fully to the Canadian economy. With increased security at the Canada-U.S. border, many are concerned about travelling on business without their Canadian citizenship.

Many did not apply for a permanent resident card in the last year because their citizenship application was already in. They quite rightly assumed they would have it long before they would need the permanent resident card to travel outside the country.

The result was, of course, a problem for members of our own staff, when people suddenly found that their citizenship was not coming through and they would have to apply on an urgent basis for the permanent resident card.

Delays in the citizenship process are causing an additional workload for CIC employees.

Often security clearances lapse before the application process is completed and may have to be redone. Often security clearances once they are done then sit in the CIC office for a number of months causing further delays and again perhaps having to repeat the process.

In Ottawa approximately 500 applications are received a week. The capacity is to process 150 to 200 a week. We seem to be working toward building up a backlog.

For many this has been a long wait. In my constituency there are many Somalis who came here at a time of terrible crisis in their own country. They were not able to even become landed immigrants for eight to ten years because acquiring the proper papers to prove who they were was impossible. Here they sit 10, 12, 13 years after their arrival in Canada unable to achieve citizenship.

Finally, new Canadians are looking forward to exercising that most precious right of citizenship, the right to vote. It is normal in the period leading up to a major federal or provincial election to take measures to speed up the approval of citizenship so that they can enjoy that right.

I ask the minister to clarify what is being done to improve the citizenship approval process, to avoid building a huge backlog and to let new Canadians become full members of Canadian society.

• (1910)

**Hon. Hedy Fry (Parliamentary Secretary to the Minister of Citizenship and Immigration, Lib.):** Madam Speaker, the hon. member has posed some important questions. Canadian citizenship is valued around the world and every year more and more people ask to join the Canadian family. They want to contribute more fully to our growth as a nation and benefit from the rights and responsibilities that go along with being citizens.

Every year we grant citizenship to nearly 160,000 applicants, after they meet the statutory requirements. Average processing times can vary from one city to the next, but across the country, the majority of applications are completed in 12 months or less.

In Q-3 of this fiscal year, for example, 76% of all applications were completed in a 12 month period or less, while 3% took 15 months or less. Just last month, 636 newcomers from the Ottawa area took an oath of citizenship and are now full Canadians. Through 2003, we granted 5,644 awards of citizenship in the Ottawa area, with 985 awarded in September alone.

[Translation]

That having been said, the Department of Citizenship and Immigration is working on ways to expedite the processing of the increasing number of citizenship applications received every year, particularly by changing its procedures.

### *Adjournment Debate*

This year, the department also obtained additional funds from Treasury Board to respond to the unprecedented increase in the number of applications.

[English]

Compared to the same period one year earlier, citizenship applications increased by nearly 40% from October 1, 2002 to September 30, 2003. This bodes well for our future as a country.

However, that kind of increase also creates a strain on existing resources and could further increase processing times unless we take action. We have taken action in the past, we are taking action today, and we will continue to take action to respond to these needs regardless of the timing of an election.

The hon. member from Ottawa West—Nepean said that some individuals did not apply for permanent resident cards on the assumption that their citizenship application would be completed before they were required to travel. I would like to report that as of March 2004 the Department of Citizenship and Immigration produced 996,000 permanent resident cards in just over 20 months and is now issuing approximately 65,000 a month.

[Translation]

We want to provide proper service to newcomers to Canada, while at the same time ensuring that all citizenship applicants meet the requirements set out in the law.

We therefore need to ensure that applicants have no criminal records and represent no security risks, and this we continue to do even as we take steps to maintain processing times. As a result, while providing appropriate service, we are still fulfilling our responsibilities to protect the integrity of Canadian citizenship.

[English]

I am pleased to report that the additional funds from Treasury Board are being used to help us in our efforts to maintain the current average processing times of 10 to 12 months in spite of increased applications, while ensuring that each application meets the normal security residency and language requirements for citizenship.

**Ms. Marlene Catterall:** Madam Speaker, I appreciate the comments of the parliamentary secretary. I just want to emphasize again that this is a new problem. It is surfacing in my constituency office and in constituency offices elsewhere.

*Adjournment Debate*

I am pleased that there are some efforts to address this situation. I encourage the minister to continue being aware that this is a new problem. It does need to be addressed or we will end up with a backlog that will be a much bigger problem.

**Hon. Hedy Fry:** Madam Speaker, I empathize with the hon. member because I have the same problem in my own riding. I think everyone sees these problems, especially since numbers are increasing very rapidly in terms of individuals seeking immigrant status.

The minister is committed to doing what she can to speed up the process and that steps are taken to ensure that people become citizens as soon as they wish.

● (1915)

**The Acting Speaker (Mrs. Hinton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:15 p.m.)

---







**APPENDIX**

ADDRESS

of

His Excellency Kofi Annan

Secretary-General of the United Nations

to

both Houses of Parliament

in the

House of Commons Chamber, Ottawa

on

Tuesday, March 9, 2004

## APPENDIX

## ADDRESS

of  
His Excellency Kofi Annan  
Secretary-General of the United Nations  
to  
both Houses of Parliament  
in the  
House of Commons Chamber, Ottawa  
on  
Tuesday, March 9, 2004

*His Excellency Kofi Annan and Mrs. Annan were welcomed by the Right Honourable Paul Martin, Prime Minister of Canada, by the Honourable Dan Hays, Speaker of the Senate, and by the Honourable Peter Milliken, Speaker of the House of Commons.*

**Right Hon. Paul Martin (Prime Minister, Lib.):** *[English]*

Mr. Speaker of the Senate, Mr. Speaker of the House, Members of Parliament, Senators, ladies and gentlemen, it is a great privilege to welcome to Parliament the Secretary-General of the United Nations, Mr. Kofi Annan.

Your Excellency, Canada may be a young country, but we have one of the oldest continuing systems of government in the world and throughout our history we have been staunchly democratic.

This magnificent chamber, this House of Commons, is the engine room of our democracy, and sometimes, Sir, let me tell you, it can get pretty noisy in here. Thus, while I would like to believe that the rare calm you see before you reflects the enormous support on both sides of the House for the policies of the government, I suspect that it is primarily a tribute to you and to the great institution you lead.

Canadians were among the first and continue to be among the world's most steadfast supporters of the United Nations. It should be no surprise, therefore, that many have become integral to the United Nations endeavour.

What I would like to do now is introduce six such Canadians who are with us today: Lieutenant-General Roméo Dallaire, a compassionate and articulate advocate of the world community's responsibility to protect; Major-General Andrew Leslie, recently returned from Afghanistan, where he was deputy commander of the International Assistance Force; Stephen Lewis, the Secretary-General's Special Envoy on HIV-AIDS in Africa; Maurice Strong, Undersecretary-General and Special Advisor to the Secretary-General for North Korea, and a man who has done so much to make the environment a global responsibility; Louise Fréchette, for many years a distinguished Canadian public servant and now the Deputy Secretary-General of the United Nations; and finally, Louise Arbour, Supreme Court Justice of Canada, chief prosecutor for the International Criminal Tribunals in The Hague, and the next United Nations High Commissioner for Human Rights.

*[Translation]*

Your Excellency, Canada is an international player. Our security, our prosperity, our environment are intimately connected with developments beyond our borders. No country is more open to the world than Canada, and no country has a greater stake in making

sure that our international institutions work fairly and effectively. It is vital for Canada it is a fundamental Canadian self-interest that the international community be guided and bound by the rule of law. But our commitment to internationalism goes beyond self-interest narrowly conceived. It is also a matter of the heart, of a belief in the dignity of all people, and the need for equitable solutions to global problems.

*[English]*

Multilateral commitment, for us, is more than a simple wish; it is a recognition that Canada's destiny as a free nation demands international fairness, integrity, courage and imagination.

These are the qualities the world needs if we are to meet the challenges of today and tomorrow and they are also the qualities that come most readily to mind when we think of the life and the career of our honoured guest.

In the year 2001, the Nobel Peace Prize was awarded to the United Nations and its Secretary-General, and justifiably so, because Kofi Annan exemplifies in his person the highest aspirations that we all hold for the community of nations.

At critical moments in its history, the United Nations has made it through difficult times because it was led by a great secretary-general and there is no doubt that this is the case today. Unequivocally, Kofi Annan has earned his place among the great leaders of the UN.

These are not easy times. The threat of terrorism; the growing gap between the world's rich and the world's poor; the need to protect our global commons against the ravages of pollution and senseless exploitation; and the responsibility to protect: these are the challenges we face and they all require nations to shoulder their global responsibilities and to work together.

At the centre of it all lies the United Nations. If it does not work, then more and more people will be left behind. Our problems will deepen and durable solutions will become more and more remote.

*[Translation]*

We live in one world, and all our destinies are linked. Kofi Annan, by word and deed, has devoted his entire working life to keeping this fundamental truth before our eyes. He has dealt with the most critical issues of our times, from wars in the gulf and the Balkans, to the status of East Timor, to peace efforts in the Middle East.

Your Excellency, Canada agrees with you that there is a collective responsibility to protect people from the worst threats to their security, and protect the innocent from military catastrophes.

*[English]*

Kofi Annan has been an inspiration in the struggle to end global tragedy.

For instance, his leadership has been essential in the establishment of the Global Fund for AIDS and in the campaign to provide cheap medicines to sufferers in poor countries.

Canada has listened. We are the first OECD country to introduce legislation to provide inexpensive generic drugs to the poorest of the poor with HIV-AIDS.

I can think of no better way to commemorate the visit of the Secretary-General and Mrs. Annan to this Parliament than for hon. members and senators from all parties to join together and to pass this legislation quickly, for the time to act is now.

In these and so many other areas, such as the millennium development goals signed by 147 world leaders in September 2000, Kofi Annan reminds us that the great issues of war and peace cannot be separated from the great causes of human rights and individual freedom.

The Secretary-General displays a calm and a forcefulness in the midst of the whirlwind that is truly astonishing. He not only tackles global crisis with great resolve and creativity, he is forthright in his calls for changes to the United Nations itself.

The great institution is not broken, but it is hurting. Many of the problems we face cannot be easily addressed by a model established over 50 years ago to deal with very different kinds of issues.

For this reason, the Secretary-General has established a high level panel on threats, challenges and change to advise him on ways to ensure that the United Nations is up to the tasks it faces.

He can be confident that Canada will stand with him to ensure that his reform efforts move forward and take hold, for we can do no less.

[*Translation*]

It is far too easy to criticize the United Nations, as if it were some remote and abstract entity. It is not. The United Nations is us. Its shareholders are the 191 states that make up its membership, and it is we who are accountable for its failures as well as its successes.

Canada has done its fair share and more throughout the years, whether through our continuing work on human rights or on peacekeeping, and in so many other areas of international importance. Wherever there is pain and suffering in the world, we can find Canadians from every walk of life helping to make things better.

Afghanistan and Haiti are but two of the more recent examples where the men and women of our armed forces are serving the cause of democracy with courage and compassion.

[*English*]

Your Excellency, this House divides on many issues, and that is a testament to our democratic spirit. But I can assure you that everyone here is united in our admiration for the work you are doing.

We all share the profound Canadian commitment to the cause of multilateralism and to the continuing health and vitality of the United Nations.

Mr. Speaker and Mr. Speaker of the Senate, may I present the Secretary-General of the United Nations, His Excellency Kofi Annan.

*Applause*

**His Excellency Kofi Annan (Secretary-General of the United Nations):** [*English*]

Mr. Prime Minister, Speakers of both the Senate and House, hon. members of the Senate, hon. members of the House of Commons,

Excellencies, ladies and gentlemen, thank you very much for giving me such a warm welcome.

I am very pleased to be here in Ottawa and I thank you, Mr. Prime Minister, most warmly for giving me the opportunity to be here and to have the chance to address both Houses this morning. I am particularly pleased to see so many young people in the room behind me. It is great to see them here. It is wonderful that they are becoming engaged early in their lives. They are the leaders of the 21st century and the sooner they become engaged, begin to assume responsibility and to learn from you, the better it will be for all of us.

[*Translation*]

As you know, the United Nations Charter opens with the phrase “We the Peoples of the United Nations”.

Since becoming Secretary-General in 1997, I have made a determined effort to bring the United Nations closer to “the peoples”. I have also tried to have the voice of the peoples heard more directly at the United Nations. This is why I am particularly glad to be here with you, the representatives through whom the people of Canada make their voice heard.

It is often said that all politics is local. Yet in our globalized age, local events are connected, in a myriad of ways, with situations far afield.

We need but glance at the headlines over recent weeks, about new diseases and climate change, for instance, to grasp the important link between the global and the local.

As citizens of an outward looking country, you in Canada are keenly aware of this, and in many ways you have been able to make the best of globalization, while working to minimize its negative effects, for Canada and for the world.

Throughout the years, Canada has been a pillar of support for the United Nations. Indeed it is hard to imagine the United Nations without Canada and, I might even say, it has become hard to imagine Canada without the United Nations.

Your country's multicultural character and bilingual tradition give it special qualifications as an exemplary member of our organization. Canada played a key role in the drafting of the UN Charter. You have contributed to practically every aspect of our work, whether in peacekeeping or in the promotion of the UN's development agenda. You have pioneered important disarmament and humanitarian efforts. The very name of this city has become synonymous with the treaty to ban anti-personnel landmines.

And I am delighted to hear that Toronto may soon house a University for Peace Centre, which I hope, working with other Canadian institutions, will enable Canada to make an even greater contribution to UN conflict prevention and peace building.

Canadians have been prominently involved in the United Nations since its early days. John Humphrey was one of the principal drafters of the Universal Declaration on Human Rights.

In 1955, Paul Martin Senior, the father of your present Prime Minister, helped overcome political and procedural obstacles to the rapid expansion of UN membership, paving the way for the near universality which is today one of our organization's most important assets.

Lester Pearson even received the Nobel Peace Prize for his efforts to resolve the Suez crisis, a process in which he helped to invent the very concept of peacekeeping.

It is because I have seen what Canada can bring to the work of the United Nations that I was heartened by the words of Her Excellency the Governor General during the opening session of this Parliament last month, when she expressed the desire for Canada to have a role of pride and influence in the world, to bring Canadian values to international affairs and to "create a world where fairness, justice and decency reign".

When hearing those words, my reaction is, as so often when I think about Canada, "We can work together".

[*English*]

In today's world, we are plagued not only with longstanding problems but also with newer ones, newer ones that have come on top of the international agenda. Terrorism has become a central concern of this new millennium and is, today, a major threat to international peace and security.

Many states are concerned about the proliferation of weapons of mass destruction and their possible acquisition by terrorist groups. Every day, it seems, brings news showing the limitations of our current collective system designed to curb proliferation and trafficking in fissile materials. None of us is omniscient when it comes to ascertaining the presence or absence of weapons of mass destruction in other states.

The last decade of the 20th century taught us lessons about the changing nature of armed conflict. Securing the peace was once seen as simply a matter of preventing war between states. Since the end of the cold war, we have witnessed primarily conflict within states. In the process, we have been repeatedly faced with grievous and massive violations of human rights and of international humanitarian law. Our instinctive reaction is that something must be done, but we are not always sure what or how, or by whom.

As we embark into the 21st century, our organization faces a very different world from the one envisaged by its founders. All of us face new problems and we need to find new solutions. My starting point, as you would expect of a secretary-general of the United Nations, is multilateralist. From that perspective, we are not doing very well. We have yet to find collective answers to the new so-called hard threats to international peace and security that I mentioned a moment ago.

We are also collectively failing to provide adequate responses to persistent hunger, disease, massive violations of human rights and the degradation of the environment. These threats disrupt, disfigure, destroy the lives of many millions of our fellow human beings. The response to these problems cannot be viewed in isolation from our broader concept of security. A world in which millions live in misery without prospects for development cannot be regarded as a world at peace.

Ladies and gentlemen, three and a half years ago at the Millennium Summit, as we heard earlier from the Prime Minister, the world's leaders adopted the Millennium Declaration, a joint statement of our ambition for humanity in the new century. For the first time there was genuine consensus that poverty, hunger, unequal access to primary education, lack of safe drinking water, diseases like HIV-AIDS and malaria, as well as environmental degradation are problems that concern the whole world.

For the first time in history a specific date, the year 2015, was set as our target to achieve specific goals in development and poverty reduction. Sadly, stark and terrible events over the past three years, including on this continent, have distracted our collective attention from these aspirations.

Next year we will review our progress toward achieving the millennium development goals. We will all have to take an honest, hard and unflinching look at where we stand and what we have achieved and what we have not and why.

Our first task should be to restore the world's focus on development. We must do so by taking decisive action to ensure that the achievement of the key goals that we have set for ourselves are met.

The millennium development goals place a great responsibility on the developing countries to mobilize domestic resources, implement policy reform, strengthen democratic governance and protect human rights. But none of the millennium development goals will be achieved without a truly global partnership for development in which countries like Canada will have to do their fair share.

It was under Canadian leadership that two years ago the G-8 adopted in Kananaskis the Africa action plan in support of the New Partnership for Africa's Development. Therefore, Africans are looking to Canada to ensure that this commitment is fully implemented.

Reaching the millennium development goals will require a true global partnership in which all developed countries play their parts through increased and more effective official development aid, investment, advice, and policies that ensure a just global trading system. The recent report of the Commission on Private Sector and Development has shown how critical the role of the private sector can be in this effort. Prime Minister Martin did a splendid job as co-chair of that commission.

I hope that Canada will remain engaged and propose concrete measures to implement their report, along with other countries, but we must make certain that poor countries have a chance at development and that they can benefit from globalization. We must put Doha back on track, a task in which Canada's leadership will be crucial.

Developing countries must not face unfair competition and their most competitive exports especially should be free of restrictive barriers. Developing countries should be given the chance to trade away their poverty, and we must have new approaches to relieve poor countries of heavy debt burdens that drain resources from their development.

To safeguard our environment and preserve a viable world for future generations, we must ensure that our development is sustainable. I salute Canada's determination to reduce greenhouse gases and to comply with international commitments under the Kyoto protocol.

Perhaps most urgently of all, we must redouble our response to the monumental crisis of HIV-AIDS. This has become not only a dangerous obstacle to development, but also a threat to global security. Canada's assistance and proposed legislation to provide low cost generic HIV-AIDS medication to African countries are welcome steps in the right direction, but even greater efforts are needed if we are indeed to begin to reverse the spread of the disease by 2015 as we have pledged to do.

Indeed, none of the millennium development goals will be achieved with a business as usual approach. Our pace of progress must be accelerated.

In all these areas, I urge Canadians to aim higher. Yours must be a leading role in a renewed global effort to deliver what the world has promised to its neediest citizens.

I would also like to make a special plea for the long term commitment to help the people of Haiti. The experience of Haiti shows how poverty, instability and violence feed on each other with repercussions for the broader region.

The international community is now preparing for a new effort to help Haiti. Security as well as humanitarian and development assistance will be needed. At the same time the international community will need to make a decisive contribution to buttress Haiti's democratic institutions.

Only through a long term commitment to help the country can stability and prosperity be assured. Half-hearted efforts of the past have been insufficient. We cannot afford to fail this time.

Ladies and gentlemen, the past year was a particularly difficult one for the United Nations and for me personally. We suffered some bitter blows, including the devastating attack on our staff in Baghdad and the loss of some of our most treasured friends and colleagues.

The persistent instability in Iraq and its regional repercussions are a matter of profound concern to all of us. Now we are confronted with the challenge of helping Iraqis recover their sovereignty under a fully represented government.

The debate over the use of force in Iraq has brought into sharp relief the urgent need for a system of collective security that inspires genuine confidence so that no state feels obliged to resort to unilateral action.

That is why in November last year I appointed a high level panel charged with producing a rigorous assessment of the threats affecting us today and in the foreseeable future.

It is my hope that it will help us move away from the stereotypes, such as the notion that terrorism and weapons of mass destruction are concerns of the north, while poverty and hunger only affects people in the south. I would also hope that the panel will produce recommendations intended to make the United Nations as effective

an instrument for collective action as possible against the threats we face, threats both old and new.

The panel is rightly canvassing the views of governments and civil society throughout the world, and I am sure Canada will make an important contribution to its work. What we need is a new global consensus. For this the active and committed involvement of the organization's membership will be vital. I want to see all the member states engaged in this stage.

The decisions needed to make the organization more effective will require a high degree of political will among member states, the will to achieve necessary change but also to make it possible by compromise.

Here too, Canada, with its long tradition of bridge building among different international constituencies can play an important role. Already, Canada has shown leadership in promoting valuable new ideas on ways to strengthen peaceful global governance and to strengthen global governance.

Canadian initiatives, such as the responsibility to protect, developed by the International Commission on Intervention and State Sovereignty, have changed the way we think about some of these important issues that we face intermittently.

I applaud Canada's focus on the rights and the dignity of the individual, an approach that has helped alter the terms of the debate on intervention and sovereignty in a creative and promising way. The individual is the basis on which every free democratic society is built.

As a result, we increasingly conceive of sovereignty as involving the responsibility of states, in the first instance, to protect their own populations. When that protection is lacking or the government concerned is unable or unwilling to do it, all of us in the international community share the responsibility to protect our fellow human beings from massive and systematic violations of human rights wherever and whenever they occur.

In this context, the approaching 10 year anniversary of the genocide in Rwanda must give us pause and compel us to reflect on how to avoid similar atrocities in the future. We can no longer afford gaps in the existing capacity to provide early warnings of genocide or comparable crimes.

I have proposed the establishment of a special rapporteur or adviser on the prevention of genocide to make clear the link, which is often ignored until it is too late, between massive and systematic violations of human rights and threats to international peace and security.

More broadly, I look forward to the day when the concept of our shared responsibility to protect encompasses the sense of global obligation to reach out and help our fellow human beings wherever they may be and when they are most in need.

[*Translation*]

Ladies and gentlemen, Prime Minister Martin has called on Canada to pursue “a new politics of achievement”, and to “ensure a place of influence and pride for Canada in the world”. I subscribe to that plea and I challenge you to renew, with even greater determination, your great tradition of international engagement.

I look forward to working with you. Thank you very much.

*Applause*

**Hon. Dan Hays (Speaker of the Senate):** [*Translation*]

Mr. Speaker, Mr. Secretary General, it is both an honour and a pleasure for me to join with the Speaker of the House of Commons, Mr. Milliken, with the Prime Minister, and all my colleagues to welcome you to the Parliament of Canada and thank you for your very stimulating words.

[*English*]

In the Charter and the Universal Declaration of Human Rights, the member states of the United Nations have collectively defined the moral standards against which the actions not only of governments, but increasingly of individuals and even corporations are measured. Today, these standards are widely seen as the foundation of an international system of norms.

As you know, Canadians share with you a profound commitment to a rules based multilateral system, which reflects the values and priorities of the world's citizens, and in which their voices are heard.

[*Translation*]

Under your governance, the United Nations has taken giant steps toward this goal. Civil society and the world of business are now engaged in the global dialogue about such issues as the funding of development and the governance of corporations. The UN now works more closely with other international bodies and parliamentarians are more involved than ever.

The result is that the United Nations is becoming the centre of an ever-growing network of governments of the world, but there remains much to accomplish.

[*English*]

If we are to overcome the challenges facing humanity, your organization, which is our organization, must not only play a central role in helping its member states to find solutions, it will have to be a central part of those solutions.

[*Translation*]

Canadians have a deep attachment to the United Nations. In fact, popular support for the UN is on the rise in Canada.

For parliamentarians, our role is to translate this attachment into action. Many of my colleagues in the Senate and the House do their share in this regard by taking part in such organizations as the Inter-

Parliamentary Union, by assisting with the abolition of landmines in Sudan and Sierra Leone, by helping to create the International Criminal Court, and by promoting nuclear disarmament.

[*English*]

In an address to the Inter-Parliamentary Union in 1999, you told parliamentarians from around the world “You are the institutional bridge between the state and civil society. You are the link between local and global”.

We accept that responsibility. We will continue to do our part in helping the United Nations, whether it be in Haiti or elsewhere, to achieve the ambitious goals that member states have set for themselves under your leadership and that of your predecessors.

Thank you, Mr. Secretary-General.

*Applause*

**Hon. Peter Milliken (Speaker of the House of Commons):** [*Translation*]

Mr. Speaker, Mr. Annan, it is a great honour and privilege for me, on behalf of my colleagues, the Members of the House of Commons, Senators, and special guests present here today, to thank you for your visit, and to thank your wife as well; this visit is greatly appreciated by all my fellow citizens.

It is an opportunity for us, as Canadians, to reflect on the work we have been a part of and the contribution we have made to the United Nations in recent years, as we will continue to do in the future, as you have said.

[*English*]

I want to say how pleased we are that you have found in the presence of Mme. Louise Arbour someone who will be of great assistance in being the United Nations Commissioner for Human Rights, and we are delighted. She is the latest of a number of distinguished Canadians mentioned earlier who have participated in some significant events at the United Nations. I know that, in the future, Canadians will continue to do that.

Your presence helps underline that fact, but also encourages others to do exactly what some of our more senior people have done in the past. The Prime Minister could go on about that a bit should he choose to in respect to his father's participation. We thank you very much for being here and making that possible.

We also wish you the very best in your continued work for the United Nations. Thank you for everything you have done to make the organization so effective in the last number of years.

[*Translation*]

We thank you very much for being here and we wish you Godspeed!

*Applause*







# CONTENTS

Tuesday, March 9, 2004

## STATEMENTS BY MEMBERS

### *The Chomedey News*

Ms. Folco ..... 1247

### **Middle East**

Mr. Kenney ..... 1247

### **Volunteerism**

Mr. McKay ..... 1247

### **Mimi D'Estée**

Mr. Barrette ..... 1247

### **Pearson Peacekeeping Centre**

Mr. Thibault ..... 1248

### **Agriculture**

Mr. Mark ..... 1248

### **Pierre Falardeau**

Mr. Marcil ..... 1248

### **Status of Women**

Ms. Bourgeois ..... 1248

### **Nunavut**

Ms. Karetak-Lindell ..... 1248

### **Homelessness**

Mr. Grewal ..... 1249

### **Châteauguay River**

Mr. Lanctôt ..... 1249

### **Jean-François Breau**

Mr. Godin ..... 1249

### **United Nations**

Ms. Lalonde ..... 1249

### **International Women's Week**

Mr. Castonguay ..... 1249

### **Marijuana Grow Operations**

Mr. Moore ..... 1250

### **Jeune Chambre de commerce de Québec**

Mr. Duplain ..... 1250

### **Agriculture**

Mr. Benoit ..... 1250

## ORAL QUESTION PERIOD

### **Sponsorship Program**

Mr. Hill (Macleod) ..... 1250

Mr. Martin (LaSalle—Émard) ..... 1250

Mr. Hill (Macleod) ..... 1251

Mr. Martin (LaSalle—Émard) ..... 1251

Mr. Hill (Macleod) ..... 1251

Mr. Martin (LaSalle—Émard) ..... 1251

Mr. MacKay ..... 1251

Mr. Martin (LaSalle—Émard) ..... 1251

Mr. MacKay ..... 1251

Mr. Alcock ..... 1251

Mr. Duceppe ..... 1251

Mr. Saada ..... 1251

Mr. Duceppe ..... 1251

Mr. Martin (LaSalle—Émard) ..... 1252

Mr. Gauthier ..... 1252

Mr. Saada ..... 1252

Mr. Gauthier ..... 1252

Mr. Saada ..... 1252

### **Foreign Aid**

Mr. Blaikie ..... 1252

Mr. Martin (LaSalle—Émard) ..... 1252

Mr. Blaikie ..... 1252

Mr. Martin (LaSalle—Émard) ..... 1252

### **Sponsorship Program**

Mr. Toews ..... 1252

Mr. Alcock ..... 1253

Mr. Toews ..... 1253

Mr. Alcock ..... 1253

Mr. Moore ..... 1253

Mr. Owen (Vancouver Quadra) ..... 1253

Mr. Moore ..... 1253

Mr. Owen (Vancouver Quadra) ..... 1253

### **Employment Insurance**

Mr. Roy ..... 1253

Mr. Volpe ..... 1253

Mr. Roy ..... 1253

Mr. Volpe ..... 1254

Mrs. Tremblay ..... 1254

Mr. Volpe ..... 1254

Mrs. Tremblay ..... 1254

Mr. Volpe ..... 1254

### **Sponsorship Program**

Mr. Keddy ..... 1254

Mr. Owen (Vancouver Quadra) ..... 1254

Mr. Keddy ..... 1254

Mr. Owen (Vancouver Quadra) ..... 1254

Mr. Jaffer ..... 1254

Mr. Owen (Vancouver Quadra) ..... 1255

Mr. Jaffer ..... 1255

Mr. Owen (Vancouver Quadra) ..... 1255

### **Research and Development**

Mr. Proulx ..... 1255

Ms. Robillard ..... 1255

### **Foreign Affairs**

Mr. Masse ..... 1255

Mr. Pettigrew ..... 1255

Mr. Masse ..... 1255

Ms. Robillard ..... 1255

<b>Sponsorship Program</b>			
Mr. Solberg .....	1255		
Mr. Martin (LaSalle—Émard) .....	1256		
Mr. Solberg .....	1256		
Mr. Martin (LaSalle—Émard) .....	1256		
Mr. Kenney .....	1256		
Mr. Alcock .....	1256		
Mr. Kenney .....	1256		
Mr. Alcock .....	1256		
<b>International Aid</b>			
Mr. Bergeron .....	1256		
Mr. Graham (Toronto Centre—Rosedale) .....	1256		
Mr. Bergeron .....	1256		
Mr. Graham (Toronto Centre—Rosedale) .....	1257		
<b>National Defence</b>			
Mr. Casey .....	1257		
Mr. Pratt .....	1257		
Mr. Casey .....	1257		
Mr. Pratt .....	1257		
<b>Immigration</b>			
Ms. Caplan .....	1257		
Ms. McLellan .....	1257		
<b>Sponsorship Program</b>			
Mr. Sorenson .....	1257		
Mr. Alcock .....	1257		
Mr. Sorenson .....	1257		
Mr. Alcock .....	1258		
<b>Immigration</b>			
Ms. Dalphond-Guiral .....	1258		
Ms. McLellan .....	1258		
<b>Status of Women</b>			
Mrs. Jennings .....	1258		
Ms. Augustine (Etobicoke—Lakeshore) .....	1258		
<b>Aboriginal Affairs</b>			
Mr. Pankiw .....	1258		
Mr. Cotler .....	1258		
<b>Points of Order</b>			
<b>Sponsorship Program</b>			
Mrs. Gallant .....	1258		
Mr. Bélanger .....	1258		
<b>PRIVILEGE</b>			
<b>Order in Council Appointments</b>			
Mr. Saada .....	1259		
Mr. Clark .....	1259		
<b>Ways and Means</b>			
<b>Notice of Motion</b>			
Mr. Paradis (Brome—Missisquoi) .....	1260		
<b>ROUTINE PROCEEDINGS</b>			
<b>Order in Council Appointments</b>			
Mr. Saada .....	1260		
<b>Committees of the House</b>			
<b>Agriculture and Agri-Food</b>			
Mr. Steckle .....	1260		
<b>Carrie's Guardian Angel Law</b>			
Mr. Hanger .....	1260		
Bill C-489. Introduction and first reading .....	1260		
(Motions deemed adopted, bill read the first time and printed) .....	1260		
<b>Criminal Code</b>			
Mr. Hanger .....	1260		
Bill C-490. Introduction and first reading .....	1260		
(Motions deemed adopted, bill read the first time and printed) .....	1261		
<b>Injured Military Members Compensation Act</b>			
Mr. Hanger .....	1261		
Bill C-491. Introduction and first reading .....	1261		
(Motions deemed adopted, bill read the first time and printed) .....	1261		
<b>Youth Criminal Justice Act</b>			
Mr. Lunn .....	1261		
Bill C-492. Introduction and first reading .....	1261		
(Motions deemed adopted, bill read the first time and printed) .....	1261		
<b>Petitions</b>			
<b>HIV-AIDS</b>			
Mr. Marceau .....	1261		
<b>Marriage</b>			
Mr. Stinson .....	1261		
<b>HIV-AIDS</b>			
Ms. Catterall .....	1261		
Ms. McDonough .....	1261		
Mr. Rajotte .....	1261		
<b>Marriage</b>			
Mr. Steckle .....	1262		
<b>Justice</b>			
Mr. Steckle .....	1262		
<b>Library Book Rates</b>			
Mr. Lunn .....	1262		
<b>Marriage</b>			
Mr. Lunn .....	1262		
Mr. Robinson .....	1262		
<b>Foreign Affairs</b>			
Mr. Robinson .....	1262		
<b>Marriage</b>			
Mrs. Ur .....	1262		
<b>Carley's Law</b>			
Mr. White (Langley—Abbotsford) .....	1262		
<b>Marriage</b>			
Mr. Breikreuz .....	1263		
Mr. Vellacott .....	1263		
<b>Labelling of Alcoholic Beverages</b>			
Ms. Wasylcia-Leis .....	1263		
<b>Questions on the Order Paper</b>			
Mr. Bagnell .....	1263		

## GOVERNMENT ORDERS

### Criminal Code

Ms. McLellan (for the Minister of Justice and Attorney General of Canada).....	1263
Bill C-12. Third reading .....	1263
Mrs. Barnes (London West).....	1263
Mr. Casson .....	1266
Amendment .....	1268
Mr. Marceau .....	1268
Mr. Hanger .....	1271
Mrs. Barnes (London West).....	1271
Mr. Fitzpatrick .....	1271
Mr. Proctor .....	1272
Mr. Hanger .....	1274
Mrs. Barnes (London West).....	1275
Mr. Hanger .....	1275

### Supply

#### Allotted Day—Agriculture

Motion.....	1277
Amendment negatived on division.....	1278
Motion negatived.....	1279

### Federal-Provincial Fiscal Arrangements Act

Bill C-18. Third reading .....	1280
--------------------------------	------

Motion agreed to .....	1281
(Bill read the third time and passed).....	1281

## PRIVATE MEMBERS' BUSINESS

### The Acadians

Motion.....	1281
Mr. Boudria .....	1281
Mr. Reid .....	1282
Mr. Nystrom.....	1283
Mr. Gaudet .....	1284
Mr. Bergeron .....	1285
Division on Motion deferred.....	1286

## ADJOURNMENT PROCEEDINGS

### Government Contracts

Mrs. Gallant .....	1287
Mr. Harvey .....	1287

### Citizenship and Immigration

Ms. Catterall.....	1288
Ms. Fry.....	1289
Appendix .....	1290

## APPENDIX

**MAIL  POSTE**

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

**Lettermail**

**Poste-lettre**

**1782711  
Ottawa**

*If undelivered, return COVER ONLY to:*

Communication Canada - Publishing  
Ottawa, Ontario K1A 0S9

*En cas de non-livraison,*

*retourner cette COUVERTURE SEULEMENT à :*

Communication Canada - Édition  
Ottawa (Ontario) K1A 0S9

**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

**Also available on the Parliamentary Internet Parlementaire at the following address:**

**Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :**

**<http://www.parl.gc.ca>**

---

**The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.**

**Additional copies may be obtained from Communication Canada - Canadian Government Publishing, Ottawa, Ontario K1A 0S9**

**Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.**

**On peut obtenir des copies supplémentaires en écrivant à : Communication Canada - Édition, Ottawa (Ontario) K1A 0S9**

**On peut obtenir la version française de cette publication en écrivant à : Communication Canada - Édition  
Ottawa (Ontario) K1A 0S9**