



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, June 2, 2009**

—  
**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Tuesday, June 2, 2009

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### JUSTICE FOR VICTIMS OF TERRORISM ACT

**Hon. Peter Van Loan (Minister of Public Safety, CPC):** moved for leave to introduce Bill C-35, An Act to deter terrorism, and to amend the State Immunity Act.

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

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### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I have the honour to present the 17th report of the Standing Committee on Procedure and House Affairs.

Pursuant to Standing Order 91.1(2), this report contains the list of items added to the order of precedence as a result of the replenishment that took place on Tuesday, May 26, under private members' business, that should not be designated non-votable.

**The Acting Speaker (Ms. Denise Savoie):** Pursuant to Standing Order 91.1(2), the report is deemed adopted.

#### JUSTICE AND HUMAN RIGHTS

**Mr. Ed Fast (Abbotsford, CPC):** Madam Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Justice and Human Rights.

In accordance with the order of reference of Monday, April 20, your committee has considered Bill C-25, An Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody), and agreed on Monday, June 1, to report it without amendment.

## PETITIONS

### WIND ENERGY

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Madam Speaker, I am here to present a petition on behalf of constituents, some of whom are from across Ontario.

The petitioners are asking that the government sponsor a study because the health and general well-being of all citizens of Ontario is at risk, and this has to do with the multiple wind farm sites that are being constructed by the Government of Ontario in various counties.

The petitioners are asking that Parliament conduct a study through Health Canada to determine what, if any, health effects there are of wind turbine farms.

### CHILD CUSTODY

**Mr. Dennis Bevington (Western Arctic, NDP):** Madam Speaker, I rise to present a petition signed by some 800 residents of the Northwest Territories, approximately 3% of the adult population of that territory.

The petitioners request the House of Commons and Parliament to revise the Divorce Act, and enact legislation that requires a rebuttal presumption of equal shared parenting for children after divorce or separation and that adequate judicial training on accountability be implemented to ensure compliance with the legislation and the will of Parliament. This refers back to a 1998 special joint committee on child custody and access report entitled "For the Sake of the Children".

### MULTIPLE SCLEROSIS

**Mr. Rick Casson (Lethbridge, CPC):** Madam Speaker, pursuant to Standing Order 36, I would like to present a petition today on behalf of 250 or so Canadians from Alberta and Saskatchewan.

These Canadians are particularly concerned about individuals and families affected by MS. They are calling upon the government to make employment insurance sickness benefits more flexible to allow for partial benefits and part-time work for individuals with episodic disabilities and to make the disability tax credit a refundable benefit, so persons with disabilities can have more income and would allow spouses to claim the caregiver tax credit.

### EMPLOYMENT INSURANCE

**Ms. Libby Davies (Vancouver East, NDP):** Madam Speaker, I am pleased to rise in the House today to present two petitions.

*Government Orders*

The first petition is signed by citizens from right across the country, but mostly from Saskatchewan, who draw to the attention of the House that the House passed the NDP motion on employment insurance on March 10. They call on the Government of Canada to respect the will of the House of Commons and immediately restore the integrity of Canada's employment insurance system.

CANADA-COLOMBIA FREE TRADE AGREEMENT

**Ms. Libby Davies (Vancouver East, NDP):** Madam Speaker, the second petition is signed by residents of east Vancouver. The petition calls on Parliament to stop the Canada-Colombia free trade deal and to reject the trade deal until an independent human rights impact assessment is carried out and that the agreement should be renegotiated along the principles of fair trade, which would take environmental and social impacts fully into account while genuinely respecting labour rights and the rights of all affected parties.

COALITION GOVERNMENT

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Madam Speaker, I am delighted to present a petition on behalf of constituents and others who note that there was a federal election held on October 14 which provided a minority government for the Conservative Party with an increased mandate. They also note that the opposition was looking to impose an unstable, unelected Liberal-NDP-separatist coalition that during the election was promised would not be entertained.

They note that Canadians have a democratic right to choose who will govern them and not have a surprise prime minister chosen through an unseemly, undemocratic backroom deal. They, therefore, call upon members of Parliament to oppose any political arrangement that would replace the democratically-elected government without first consulting Canadians in a fair and open election.

●(1010)

HOUSING

**Ms. Megan Leslie (Halifax, NDP):** Madam Speaker, I rise today to introduce a petition in support of a national housing strategy that would ensure secure, adequate, accessible and affordable housing for all Canadians. The signatories of this petition come from across Nova Scotia, from East Bay to Trenton and from River Ryan to Alma.

They are asking for an increased federal role in housing through investments in not-for-profit housing, housing for the homeless, access to housing for those with different needs, and sustainable and environmentally sound design standards for new housing.

I wish to thank all who signed this petition, and both the petitioners and I look forward to the minister's response.

LOCAL TELEVISION

**Mr. Patrick Brown (Barrie, CPC):** Madam Speaker, I have a petition today from close to 1,000 residents from the city of Barrie concerning local television, expressing their wishes that Parliament do as much as possible to protect local television in Canada.

In particular, the petitioners focus on the A Channel in Barrie, which has been a community institution for a long time that supports local charities and helps promote culture in the region of Simcoe

County. It is my honour to present this petition today in the House of Commons.

I had the pleasure of attending a save local television rally in my riding a few weeks ago where I was presented this petition. I know there is enthusiastic support for our local television station in Barrie. I am happy to present this petition today.

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QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Madam Speaker, I ask that all questions be allowed to stand.

**The Acting Speaker (Ms. Denise Savoie):** Is that agreed?

**Some hon. members:** Agreed.

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GOVERNMENT ORDERS

[English]

CANADA-PERU FREE TRADE AGREEMENT  
IMPLEMENTATION ACT

The House resumed from June 1 consideration of the motion that Bill C-24, An Act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru, be read the third time and passed, and of the motion that this question be now put.

**Ms. Libby Davies (Vancouver East, NDP):** Madam Speaker, I am pleased to rise in the House today to speak to Bill C-24, which is the free trade agreement between Canada and the Republic of Peru.

First of all, I want to thank all of my NDP colleagues who have spoken so forcefully in the House over the last few days on this bill. I think the concerns we have raised in the House about this agreement very much reflect what we have heard right across the country.

I have to say that often when we debate legislation in this House, the various bills before us, sometimes there is a sense that not many people are watching what is going on, that things just go through and nobody is paying attention. On this particular issue of the trade agreement between Canada and Peru, as well as the one that is to come back to the House which is the Canada-Colombia trade agreement, there is a huge constituency out there watching what happens to this bill.

*Government Orders*

There are people who are organized both in the labour movement and in civil society, people who work on human rights, who work with NGOs in Peru, Latin America and elsewhere who are very concerned that this trade agreement is going to go through.

I would like to make that point first of all. I am very proud of the fact that the NDP caucus has stood so strongly against this bill because we understand that this trade bill, like so many other trade bills that we have seen over the years, of the so-called free trade agreements, are agreements that basically put the vested interests of multinational corporations ahead of public interest, ahead of the interests of labour rights, and ahead of the interests of strong environmental standards.

Even though we are now at the final stage, we are happy that our colleagues in the Bloc are also standing together with us to try to stop this bill. We think it is very important that we do due diligence, that we expose the flaws of this bill, and that we alert more Canadians to the fact that our government conducts these kinds of negotiations basically in secret, behind closed doors, and comes out with these free trade agreements with various other nation states that really, in the bigger picture, are not in the public interest.

I find it ironic that on the one hand we often find that these trade agreements are based on the premise that these multinational corporations want governments to have as little to do as possible with regulating and overseeing what should be done in terms of trade or labour standards or the environment or social standards, and that the underpinning of this agreement, and so many like them, whether it is the North America free trade agreement, the agreement that we had in the House a few years ago dealing with the FTA that was the subject of many demonstrations in Quebec City, is to basically transfer power from democratically elected governments to corporations.

When we see things like chapter 11, which is contained in NAFTA, being mirrored in this agreement, and of course will be included in the Canada-Colombia trade agreement, that confers nation state rights to multinational corporations, we are looking at a fundamental violation of the democratic principles of a democratically elected government.

I think that is why so many people take issue with these trade agreements. I find it ironic that while on the one hand there is so much pressure from these private interests globally, as well as here within our own country, to adopt these agreements, on the other hand we see huge corporations, like General Motors just yesterday expecting to have massive bailouts of over \$10 billion Canadian. We see the Canadian government coming forward and saying "Oh, yes, of course, no question that is going to happen".

It seems to me that there is a huge contradiction here, that on the one hand we have had this globalized regime that has been a race to the bottom, where we have seen these trade agreements undermine very basic human rights of workers and of people generally, and on the other hand those corporations want a hands-off kind of approach from government.

● (1015)

However, when they are in trouble, they are the first in the line-up to say that they want the government to be there with these massive line-ups. That kind of point is not lost on us.

As one of my colleagues said, it is the old adage that the former leader of the NDP, David Lewis, pointed out of the corporate welfare bums. Those kinds of contradictions exist and we are very mindful of that when we debate these trade agreements.

It is important to us in the NDP to advocate for fair trade agreements and trade agreements that do not put labour standards and environmental standards in some kind of side agreement. It used to be that they were not even mentioned at all. I can remember attending many demonstrations and forums where a huge amount of organizing was done by the Canadian Labour Congress, federations of labour across the country and by NGOs to bring forward this issue of the need to ensure that trade agreements place on par the question of labour rights, environmental rights and social rights.

Historically, those rights were not even part of the agenda. Now we are beginning to see, particularly in this one with Peru, that there are side agreements. However, when we examine this agreement that is before us, we believe that to have a side agreement is completely inadequate. There should be strong labour standards and environmental standards contained within the agreement.

I think this really speaks to the heart of the matter. We certainly support and understand that trade needs to take place between nations but the rules by which that happens and what it is that we consider to be the priorities have been completely negated and missed in the agreement that is before us.

I would also point out that the actual bill before us is enabling legislation. If we had the ability to amend the agreement, if we could send it to committee and if we could deconstruct it and make the amendments that are needed, maybe we would be looking at a different situation.

Unfortunately, with the bill that we are now debating, Bill C-24, because it is enabling legislation, it is basically a take it or leave it proposition. Therefore, we have no recourse but to say that this agreement, as it was negotiated by the Canadian government, should not be approved by Parliament.

We are glad that it has come forward and that we actually have the opportunity to vote on the agreement but, in our opinion, the agreement is very flawed. It is basically a copycat agreement of NAFTA. We feel that this mirrors the outdated George Bush style approach to trade. As the situation financially changes, as we see the global crisis in capitalism, such as the situation with General Motors, then, surely to God, what we are doing with these trade agreements should also be changing. We should be recognizing that these agreements, as they have been negotiated in the past, are not even serving the corporate interests any more. Even those corporate interests are now in trouble, but they are certainly not serving the interest of average people.

*Government Orders*

When it comes to the situation in Peru, a lot of evidence shows how workers have been disaffected and how they have minimal rights. Therefore, we are insistent that this trade agreement should put at the top of the agenda the inclusion of those labour rights. We care about workers, whether it is here in Canada, Peru or in any other country, but to have this race to the bottom where workers pay the price and Canadians lose their jobs is a situation that we find intolerable.

We are against this bill. We believe there is very strong public support to defeat this agreement, to go back to the table and to renegotiate something that is based on fair labour standards, on protection for the environment and on protection for social conditions.

●(1020)

[*Translation*]

**Mr. Guy André (Berthier—Maskinongé, BQ):** Madam Speaker, I would like to congratulate the hon. member on her excellent speech. The Bloc Québécois has long been concerned with the issue of the social and environmental responsibility of Canadian companies abroad, and most particularly Canadian mining companies.

Canada and some mining companies maintain that mining operations in the southern hemisphere provide a means of fighting poverty. We often hear the argument that mining is a benefit to populations in the southern hemisphere. However, we believe that quite the opposite is true. Indeed, under chapter 11 of NAFTA, mining companies can exert pressure on the social, economic, and cultural policies of the governments of these countries.

Can my colleague explain to the House how this agreement will be detrimental to the progress of these developing populations?

[*English*]

**Ms. Libby Davies:** Madam Speaker, my colleague from the Bloc is entirely right. There is a very negative history when it comes to Canadian mining companies, whether it is in Peru, Colombia or in other countries. In fact, there is a very strong movement within our own country to hold these companies to account for operating in a way that undermines local conditions and violates workers' rights.

The illusion that those companies are somehow there to help that developing country is a fallacy that we now understand, which is another indication of why this agreement is so flawed. This agreement does nothing to address the harmful practices of those Canadian corporations. They are exploiting labour and the environment and we want it stopped. Unfortunately, it will not be stopped by this trade agreement. It will only be made worse.

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, I would like to follow up on the answer the member just gave.

The bill does nothing to address the labour difficulties in labour law in Peru, so let us stop any effort to improve our competitive trading position in Peru, which is in a trade deficit situation, so we can demonstrate our concern about labour practices.

At the same time, however, since the United States and a number of other countries have already signed these agreements with Peru, it means that Canadian businesses will not be competitive and we will lose that business and lose jobs in Canada.

The question is quite simple. Is it our role here to balance the needs to create jobs or retain jobs in Canada or to demonstrate that we are concerned about labour laws and practices in Peru?

●(1025)

**Ms. Libby Davies:** Madam Speaker, as I pointed out before, the bill before us today does not allow us to amend the agreement. We either support it or we do not. We think that the agreement is fundamentally flawed.

Our position in the NDP is that we defend and advocate for good quality jobs here in Canada. Heck, we do that day after day in the House, which is more than I can say the Liberals have done, but we do not do that at the expense of labour rights in other countries. That is why these trade deals are so important in terms of examining what is really going on. For example, in the U.S.-Peru deal, the environment and labour sections are not side agreements but are part of the agreement. Why do we not have that in Canada? Why have we relegated them to side agreements where the compliance mechanisms are very minimal?

This is not an issue of pitting one against the other. This is saying that if we have trade agreements, we need to ensure they protect Canadian interests but, at the same time, that they do not violate the rights of workers in other countries. What kind of position is that? It is quite shocking that the Liberals are going along with this but they do have a history of promoting and advocating these kinds of agreements. We are not prepared to do that. We are prepared to say that we want fair trade agreements that respect labour rights both in Canada and in Peru.

[*Translation*]

**Mr. Guy André (Berthier—Maskinongé, BQ):** Madam Speaker, it is an honour for me to speak to this bill. As I have already indicated, the Bloc Québécois does not support this free trade agreement, basically because it does not meet a number of criteria and objectives that are necessary when concluding trade agreements that will create fairer, more equitable trade, rather than trade that fosters inequalities.

We believe that all new free trade agreements must contain clauses requiring that minimum standards concerning human rights, labour rights and respect for the environment be met. The free trade agreement with Peru, for example, would open many doors to Canadian investments in mining in Peru, but it does not include adequate provisions to protect workers and the environment.

*Government Orders*

There is no doubt that Canada is a leader in the mining sector. The federal government uses tax credits and financial and logistical aid to support companies operating abroad. The current federal government promotes Canadian companies' activities, but does not seem too concerned about whether any particular company complies with minimum human rights and environmental standards. The federal government, with support from the Liberals, of course, refused to adopt mandatory social responsibility standards for Canadian mining companies operating abroad.

It is ironic, if not downright pathetic, to see the Liberals oppose the adoption of mandatory standards even though they are in opposition. People say that when the Liberals are in opposition, they have a New Democratic agenda, but when they are in power, they have a Conservative agenda.

On the one hand, they support this agreement, but on the other, they introduced two legislative measures this session: Bill C-300, An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries, by the member for Scarborough—Guildwood; and Motion M-283 on the social responsibility of the Canadian extractive industry in developing countries, by the member for Pierrefonds—Dollard. Despite supporting the agreements with Colombia and Peru, they have introduced motions to support and, as they put it, encourage companies to respect the environment and labour rights abroad. They introduce bills like that, then they turn around and vote in favour of agreements between Canada and Colombia or Canada and Peru. That is a major contradiction. I would like to expand on that.

Take Bill C-300, which the Liberals introduced in the House. The purpose of the bill was to ensure that Canadian mining companies behaved responsibly and complied with international human rights and environmental standards. The Liberals introduced that bill, but now they are voting for the Canada-Peru agreement and the Canada-Colombia agreement. Unbelievable. That is a basic contradiction. That is what I call political hypocrisy. It is unthinkable that a party could take such positions.

For some years now, a number of Canadian mining companies have been directly or indirectly associated with forced population displacements—it happened in Colombia—significant environmental damage, support to repressive regimes, serious human rights violations and sometimes even assassinations, as has occurred with many union members working in Colombia, for example. That is why Bill C-300 was introduced and that is why the Bloc will support the Liberals' bill.

• (1030)

That is why the Bloc Québécois has always defended the need to impose standards of social responsibility on companies operating abroad. But the federal government has always defended the principle of *laissez-faire*, preferring a voluntary approach.

I would like to point out that the Liberals have not taken a consistent position in this House. It is disgraceful for the Liberals to be voting in favour of this agreement. I would like the Liberal members to explain their logic because I have a great deal of difficulty understanding it.

They support the Conservatives and refuse to include mandatory standards in the agreement with Peru when there is clearly a need to adopt mandatory standards for the social responsibilities of Canadian mining companies. Now they are presenting these two legislative measures. It is a contradiction.

What can we say about the Liberals in this debate? I hope they will go and hide. Fortunately, stupidity and ridicule are not deadly; otherwise there would not be many Liberals left in this House. I would say they are being devious in this matter. I have been listening to them since yesterday and I am amazed.

As I was saying, rather than imposing mandatory standards, the government continues, on the contrary, to believe in the myth that Canadian companies act responsibly. It naively continues to defend the idea that a voluntary commitment is enough to guarantee that the activities of Canadian companies abroad will be conducted in a responsible manner.

It is important to remind the Conservative and Liberal members that the radical reforms imposed by the government of Alberto Fujimori between 1990 and 2000 reduced the size of the state and undermined its capacity to intervene effectively and to impose standards over its entire territory. We must not forget that.

Since then, yes there have been reinvestments, and Peru is currently in a phase of good economic growth. We must, however, consider Peru a developing country.

The Canadian government is responsible for ensuring that its legislation does not run counter to the needs of the populations concerned. Development must be sustainable, fair and equitable. It must be harmonious and respect local populations.

It is not enough just to say that our legislation creates jobs or stimulates local economies. This is why the Bloc Québécois has always favoured the adoption of mandatory standards and accountability measures with respect to the activities of mining companies in other countries.

This bill does not even reflect the recommendations by committees whose representatives had been to the field. The industry has studied the matter. By turning its back on the numerous recommendations by industry and civil society contained in the report by the advisory group to the National Roundtables on Corporate Social Responsibility, in which all parliamentarians took part and which dealt with the Canadian extractive industry in developing countries, the Canadian government has made itself complicit in the human rights abuses and environmental damages caused by the actions of certain offending companies. I cannot accept that.

This is why the Bloc Québécois is voting against these agreements. A trade system that results in the exploitation of developing countries is not viable.

Contrary to what the government may say, increasing exports through a free trade agreement between Canada and Peru will not automatically resolve the economic inequalities, social problems and poverty related to that country's development.

*Government Orders*

Including in the agreement a clause protecting investments, patterned on NAFTA's chapter 11, will allow businesses to sue the government. This clause will, I am sure, limit the Peruvian state's capacity to ensure equitable social and economic development for its population.

In this context, the free trade agreement with Peru contains some basic elements that prevent us from supporting this bill.

• (1035)

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Madam Speaker, I thank my hon. colleague for his speech.

I do not understand why the two parties disagree. Is there a lack of communication or a real difference of opinion? There are at least three good reasons to support this agreement. First of all, there is a need for free trade, especially since the global problems are affecting both the province of Quebec and the rest of Canada. There has been only one free trade agreement in recent years, but more are needed to improve the economic situation.

Another reason to support this agreement is the pursuit of social justice. Like the Bloc Québécois and the NDP members, I am on a quest for social justice. I went to Peru and worked with Canadian Food for the Hungry. We must make a commitment to resolve the problems and NGOs cannot do it alone. They need help from companies and other Canadians.

**Mr. Guy André:** Madam Speaker, I will not applaud those remarks, because I find them very naive. A study was conducted in Peru in 2004. The figures I have show that 97 disputes between communities and mining companies were reported. Some 60% of Canadian companies in Peru work in the mining sector. These disputes related to issues of access to lands and the destruction of the environment. In Colombia, thousands of people have been displaced because companies are taking away their lands and displacing populations in order to mine there.

We support free trade, but free trade that is fair and equitable, and that fosters sustainable development while respecting all local populations.

• (1040)

[English]

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Madam Speaker, I want to ask my colleague if he has any concerns that labour standards and environmental standards are not part of the main agreement but part of side agreements in this Canada-Peru free trade agreement.

Some analysts have noted that while there is a similarity between this agreement and the one that the United States entered into with Peru, in the United States agreement environmental and labour standards are part of the main agreement. They also point out that the Canadian environmental standards agreement is much weaker than what the Americans have in their agreement but that this has not slowed President Garcia from making changes to the environmental policies of Peru that do not help the environment and have been very detrimental to the people of Peru.

Given those problems, I am wondering if he could comment on those particular issues and the problems associated with the Canadian agreement in this regard.

[Translation]

**Mr. Guy André:** Madam Speaker, my NDP colleague is also alluding to chapter 11 of NAFTA, which was reproduced in this agreement. The Bloc Québécois is in favour of multilateral rather than bilateral agreements. Under a multilateral agreement, companies must adhere more closely to these standards. There are things that could be done but that are not being talked about with regard to this agreement. We need a fair and equitable agreement that would require mining companies to report annually on their activities abroad and comply with the standards. An independent ombudsman office could be created to receive complaints about the activities of non-compliant Canadian companies abroad.

There is nothing in this agreement that talks about the recommendations we made. A tripartite committee could be formed to monitor compliance with the standards. This committee would be made up of representatives of government, civil society and the extractive industry. There are ways to mine in compliance with environmental standards. There are even mining techniques that create less pollution. But there is nothing about any of this in this agreement with Peru.

[English]

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, members have all received substantial input from various stakeholders and constituents about trade deals, probably more about the proposed deal with Colombia, but also about the Peru agreement. There is a form letter that starts, "I'm shocked and dismayed", which has been going around.

Much of the debate that has taken place with regard to this particular bill, Bill C-24, the Canada-Peru Free Trade Agreement Implementation Act, has been dealing with the more substantive concerns that Canadians have about entering into agreements with countries that have reputations on human rights issues that cause them concern, particularly with Colombia and the cocaine trade.

Having been a member of Parliament for some 15 years, one of the key lessons I learned from former Prime Minister Jean Chrétien was that it is very, very difficult, if not impossible, to achieve several objectives in terms of promoting Canadian values and interests at the same time. Sometimes we have to take a complex situation and deal with it separately.

Former Prime Minister Chrétien said that if we wanted him to be a boy scout, go to China and tell the Chinese what they should do about human rights, that would not do any good because then he would be out of the loop. Canada's trade relationship with China would become impaired and there would be consequences for being a boy scout where he could not do anything. He said that he would rather be at the table. He would want to be there, show them how Canada works, share the value system we have and show them we are concerned about and look for every opportunity to advocate for human rights issues, for environmental issues, for fair and free trade issues.

*Government Orders*

These bills raise all these kinds of concerns. On the Colombia deal, the Standing Committee on International Trade would probably say we should have a human rights assessment. That human rights assessment would show that there is a terrible drug trade and a lot of nastiness going on there. The human rights situation is terrible compared to Canada and this is really unacceptable.

This is a wonderful thing to do when we are talking about doing more business with that country. It rubs in its face the realities that we know. I understand it is important to keep the message in front of the world about the challenges that many countries have, whether they are human rights issues or environmental issues, or corruption, which is rampant. If we did a human rights assessment on all countries that we traded with and they did not pass the smell test, as it were, then we would say we will not trade with them.

Why do we not look at China? Would China pass a human rights assessment? Probably not. Would India pass a human rights assessment? Probably not. Would Colombia? Probably not.

How about the United States? There has been a lot of debate in this place about torture and tactics and even accusing people in this chamber who have views that in certain circumstances we need more aggressive techniques to get information from terrorists. It is totally unacceptable to many members in this place even to think that maybe there is a scenario under which more aggressive techniques should take place. I think the consensus would be that there should be no human rights abuses, no torture.

If we are to apply the same criteria that we want to apply to Peru about having a human rights assessment before we consider trading or expanding trade, that means we have to reconsider our trading relationship with our largest trading partner, the United States.

• (1045)

It is bizarre and it is probably a stretch, but it can be argued. I wanted to speak today because I receive so many communications from people who have been told that this is terrible and we should not be doing business with these people. Most of them unfortunately do not understand that we already have a trading relationship with all of these countries. We already do trade.

With regard to Peru itself, we have a significant trade deficit. We have \$390 million in exports to Peru, including cereals, paper, technical instruments and machinery, but we import from Peru about \$2.5 billion, mostly in minerals such as gold, zinc and copper ores, as well as animal feed and vegetables.

We have to ask ourselves whether or not Canada is prepared, notwithstanding the current recession and the economic climate, to sacrifice doing more business, growing our economy and creating jobs for the opportunity to say to them that the way they run their country, the laws that they have with regard to human rights, labour and the environment are the kinds of things that we have a problem with, and we would rather forgo the additional business with them because we are good boy scouts. We are the messenger. We would like to do trade with them but they have not passed our test.

That seems to be overly simplistic but if we listen to the debate that has gone on for some days now, it always comes back to the need for fair trade practices. We need responsible and fair labour practices. We need respect for the environment.

When I look at Canada's situation on the environment, who are we to lecture somebody else about our priority with regard to the environment? Who is Canada to lecture them, when our own government first of all cancelled every program that was set up to get Canadians onside to start dealing with greenhouse gas emissions and the consequences of global warming, which are horrendous?

The government also wants to set standards which tend to protect and insulate current industries and current practices. It came up with one scheme which said that they could pollute up to the same levels that they are doing right now. If they are going to produce more oil, for instance, as long as the incremental pollution and greenhouse gas emissions created are no greater than they are already averaging, then that is okay. In other words, the current level of pollution is acceptable. That is the position of the current government, to go ahead and pollute at the same levels.

Anybody who knows anything about the environment knows that at our current rate the damage is going to be tremendous. The book *Sea Sick* talks about phytoplankton and that the carbons being assimilated and dissolved into the water are reducing and killing the growth of phytoplankton. These are the kinds of things I wanted to raise because the seas are more sacred than the land, and if the seas go, the land is going to go right after them.

We have some serious problems on the environment, but I wanted to rise and say that we should not try to achieve all objectives every time we have a deal or relationship with another country. We do some trade now. Other countries have already entered into similar trade agreements. They have a competitive advantage over Canada. If we do not enter this deal, if we do not deal with those tariffs that we presently are facing, even the existing exports into Peru will disappear because we cannot be price competitive. That would cost jobs in Canada.

We have to think more carefully about what our objectives are.

• (1050)

[*Translation*]

**Mr. Guy André (Berthier—Maskinongé, BQ):** Madam Speaker, I was listening to our colleague, whom we very much appreciate in the House and who often speaks. However, I do not necessarily always agree with his positions.

I would like him to explain why the Liberal Party—which may form the government in future, because it aspires to power—voted in favour of Motion M-283?

This motion says that “the government should act immediately to implement the measures of the Advisory Group report “National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries” by creating, in an appropriate legal framework and with the funds needed, an independent ombudsman office with the power to receive and investigate complaints”.

*Government Orders*

You are familiar with the motion, and you voted for it. This agreement contains no provision that has to do with any funds, even though the motion called for providing funds. Yet you will vote in favour of the free trade agreement between Canada and the Republic of Peru. I would like to hear what you have to say about this.

**The Acting Speaker (Ms. Denise Savoie):** I would like to remind the hon. member that he should address the chair. The hon. member for Mississauga South.

[*English*]

**Mr. Paul Szabo:** Madam Speaker, this is precisely the point. I do not think there are many people in this place who do not believe in having a national round table or an international round table forum to discuss how we can address the issues that are being raised by that private member's motion by the member for Scarborough—Guildwood. Yes, I support it.

It is a definable, focused effort to do something concrete in regard to, for instance, mining standards, et cetera, and dealing with those who invest in things and destroy the environment. It does not have anything to do with trade, though. If we link that with something else and say that we will not do something unless something else is fixed, there are three or four issues on the table as well as the trading issues that this bill deals with, and if one of those things should fail, then the whole thing would fail.

The question for the House to consider is whether or not we should sacrifice trade, jobs and opportunities to continue to influence our actions and the actions of other countries with regard to commercial activity which negatively impacts the environment.

• (1055)

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Madam Speaker, I understood that there is a value in engaging the people of Peru or any other country just by being at the table even with outside agreements. Furthermore, this agreement contemplates side agreements that would bolster the whole human rights, social justice, environment and labour rights issues that have been raised by my colleagues from the Bloc and the NDP

Could my colleague from the Liberal Party confirm my understanding?

**Mr. Paul Szabo:** Madam Speaker, the member has it correct. Every relationship that we have with countries around the world provides opportunities on a number of fronts, whether they be economic, trade, labour, or the environment. Certainly international relations are extremely important.

To the extent that we become the critic of those who do not have the values or the standards that we have and whose laws are not the same as ours, all that can do is impair the relationship and make it even more difficult for us to be successful in terms of persuading, negotiating or dealing with a variety of subjects.

I would like to make one last point which I did not get a chance to make in my speech. It has to do with the whole question of side agreements as opposed to dealing with the matters in the main agreement.

I am not convinced right now, and I hope that some hon. members will rise and explain it to the House, why a side agreement is less binding and less effective than an agreement which combines all of the elements. NAFTA as an example has those side agreements. We are participants there.

If we have a model in which we deal with these various agreements and they are working in other jurisdictions, why would we argue that this would be less effective an agreement just because there are side agreements? I do not believe that is the case, but I am interested in some argument.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I am very pleased to speak to Bill C-24, an act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru.

Bill C-24 is the implementation legislation for the Canada-Peru free trade agreement, which consists of three parts: the main free trade agreement text, the labour side agreement and an environmental protection side agreement. It preceded and is nearly identical to the Canada-Colombia free trade agreement. Bill C-24 is also structurally identical to Bill C-23, the implementation legislation for the Canada-Colombia free trade agreement.

Canada is following the United States, which completed the free trade agreement with Peru under the Bush administration in December 2007, in spite of strong opposition from trade unions, civil society and Democrats who viewed the deal as an expansion of the North American Free Trade Agreement, NAFTA. Free trade negotiations with Peru date back to 2002 when the Chrétien Liberals first held discussions with the Andean community. That group consists of Peru, Colombia, Ecuador and Bolivia. On June 7, 2007, then minister David Emerson announced the formal launch of free trade negotiations with Peru. The Conservative government signed the bilateral agreement in May 2008.

The NDP opposes the NAFTA-style treaties that put big business interests before workers and the environment at all costs. That has increased the inequality and decreased the quality of life for the majority of working families.

In the case of the Canada-Peru agreement, our concern is that a much larger and more developed economy will take advantage of a developing one and that large corporate interests will end up shaping the so-called free trade architecture to serve their needs and not the public interests of the two trading nations. The worst aspects of the free trade agreement are similar to those found in the Canada-Colombia agreement.

The Canada-Peru free trade agreement does not include tough labour standards. The labour provisions are in a side agreement outside of the main text and without any vigorous enforcement mechanism. That is the key to this.

Trade unions in Peru have expressed concern as Peruvian labour law is deficient in several areas. By addressing the environment in a side agreement, there is no effective enforcement mechanism to force Canada or Peru to respect environmental rights.

Canada, in the recent budget, took away some of the environmental protections under the Navigable Waters Protection Act that we previously had in this country. It is not just a one-way street. In this case, we are looking at the country of Peru and saying that it is not living up to standards and it is racing to the bottom, but we have examples on our side where it could be argued that we are doing the same thing in terms of racing to the bottom.

The Canada-Peru agreement on the environment commits both countries to pursue environmental co-operation and to improve environmental laws and policies, but it can only ask both parties to enforce their domestic laws. If they do not, there is no necessary consequence.

In terms of the investment chapter, it has been a major concern of the members of the Bloc who support the NDP in voting against this bill. The investment chapter has been copied from the North American Free Trade Agreement. We have had some experience over the years with how that works. As for chapter 11 investor rights, the Canada-Peru free trade agreement provides powerful rights to private companies to sue governments over their public policy, enforceable through investor state arbitration panels.

● (1100)

We have seen, through experience with the North American Free Trade Agreement, how this type of corporate rights regime undermines the legitimate role of government in protecting and improving the lives of its citizens and the environment. In some free trade agreements investors are essentially put on the same level as that of the state and this puts the state in a defensive position. Just yesterday, one of my colleagues mentioned some examples under the NAFTA where the government is being challenged by investors who are not happy with their treatment under the agreement.

While Parliament cannot modify the treaty itself, Bill C-24 is just enabling legislation and the final jurisdiction over treaties lies with cabinet. We would like the government to stop the bill and renegotiate the problematic parts but that, of course, is not likely to happen. That is our major concern with this legislation.

I would like to address a question asked by a member a few minutes ago.

The Americans are moving perhaps a year or two ahead of us in this area. They have passed their own free trade agreement with Peru. However, unlike the Canadian agreement, environmental and labour standards were included right in their bill. One could argue that the Americans had a better constructed bill than we have here.

Their experience so far has not been good because a race to the bottom is developing where Peru has issued decrees and has reduced its standards. Any analysis that I have read, particularly from the American point of view, shows that the agreement they signed is not working favourably for the poor people and the working people of Peru.

Surely we should learn something from the American experience. They have two years on us. They have a better agreement but it is not being enforced properly in terms of pulling both countries up. What it is doing is pulling them down, specifically Peru.

### *Government Orders*

Before we go much further with this, we should direct our negotiators to at least move our agreement up to the higher standard of the American agreement and maybe get some improvements on the American agreement that would benefit the working people in Peru.

We have a number of good examples that we have accessed from people who have looked at how the U.S. free trade agreement with Peru has been working. We can take the example of teamster president, Jimmy Hoffa Jr., who has made several observations about the U.S.-Peru agreement. He has said that nothing will change for the 33,000 slave labourers cutting down the Amazonian rain forest. He has said that subsistent farmers will be forced off their land because cheap U.S. food produced by agri-business will undercut their prices. The same thing happened with the North American Free Trade Agreement which has resulted in millions of poor Mexicans leaving their farms.

How anyone in this Parliament could see it is as progress and an improvement to the country and to the world to take a group of people, who have been working on their farms for hundreds of years, and force them off their land and force them to buy subsidized imported food and get away from growing their own food, is beyond me

The previous speaker from the Liberal Party was essentially condoning the race to the bottom approach. He said that we could not question any country's practices because we will scare it off and it will not want to trade with us. I have news for him. People all over the world want to trade.

● (1105)

When a few protestors from my own province of Manitoba go to environmental commission hearings in Minnesota to complain about our hydro development up north, when it really is not a serious problem in my opinion, our government takes that very seriously. Why? It is because we want to keep selling power to the United States. A few protestors can have a big influence on our government policy in Manitoba. One or two people showing up at environmental commission hearings—

**The Acting Speaker (Ms. Denise Savoie):** The hon. member may continue his comments during questions and comments. The hon. Minister of Justice.

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Madam Speaker, a constituent of mine just recently asked me a question about another one of these trade debates. He asked whether it was the position of the NDP to oppose all trade agreements. I said that was pretty well the evidence on all these things. It has a long record in an era when sometimes people say that political parties or individuals may not be consistent. This is certainly a consistency of the New Democratic Party.

I remember the NDP's ferocious objections to the North American Free Trade Agreement. It has been very consistent. We will never hear NDP members stand and say that they were wrong and that trade between Canada, the United States and Mexico has grown exponentially over the last 20 years. In fact, they probably still complain about that free trade agreement.

*Government Orders*

It can pretty well be summed up that the NDP is prepared to help other countries but it always needs to be a hand out, never a hand up. Anything that might promote trade, help people to become prosperous, to get them working and to expand trade is something the NDP is always opposed to.

We know the NDP were against the Auto Pact, which was very important. Could the hon. member tell me if there is any trade agreement that has ever been concluded that they would support?

• (1110)

**Mr. Jim Maloway:** Madam Speaker, those are very silly comments from the member.

I spent a few minutes in my speech suggesting to the member that the United States signed probably a better agreement with Peru two years ago and that we should look at that experience to see how it has developed. In the case of the United States, it was smart enough to include labour and environmental standards as part of the agreement, not as side agreements, which is why we assume it has a better agreement.

I think it is incumbent upon the government to pay some attention. It is not too late to get its trade negotiators out there to try to at least elevate our agreement up to the level and as good as what the United States has had for the last two years. I was pointing out to the member that we have evidence that even that higher standard is not working. The Peruvian administration is racing to the bottom, changing the laws and forcing farmers off their land.

The member, obviously, was not listening to my comments on that. Yes, we do support trade and we support fair trade agreements. The Bloc members have been telling that member for the last few days the very same thing. We support fair trade. What is so complicated about that concept?

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Madam Speaker, my colleague's speech speaks well about why we have been asking for fair trade and not a free trade agreement.

I want to touch base on some of the comments by our other colleagues, and specifically the Minister of Justice, with regard to how free trade has actually worked. If free trade has worked so great in the U.S., why do we have thousands of people coming to Parliament Hill today to talk about forestry and the lack of attention that was given to that part of the agreement?

As well, a Liberal member talked about the greenhouse gas emissions. Under that party, we saw greenhouse gas emissions rise much higher.

Does my colleague think, as the Liberal member seems to think, that we should turn a blind eye to human rights when it comes to these free trade agreements?

**Mr. Jim Maloway:** Madam Speaker, the reality is that there are many ways to negotiate agreements and we want fair trade agreements. We want to take into account as many of the possibilities and eventualities that can happen, and whether that involves labour, environment or human rights issues, they should all be put into agreements because people want to trade. To get a sound

trade agreement, people will agree to have decent standards if we require those in an agreement.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Madam Speaker, I am pleased to have this opportunity to speak in this debate to Bill C-24, An Act to implement the Free Trade Agreement between Canada and the Republic of Peru, the Agreement on the Environment between Canada and the Republic of Peru and the Agreement on Labour Cooperation between Canada and the Republic of Peru.

Part of the context of our debate today is the fact that this morning and this afternoon thousands of members of the Communications, Energy and Paperworkers Union, CEP, my old union, will be gathering here on the Hill for a national day of protest to say that forestry workers fight back for jobs, pensions and families. I was a proud member of CEP Local 232.

One of the reasons this protest has been organized is because of the failure of free trade agreements between Canada and the United States and the failure of the softwood lumber agreement between Canada and the United States to protect the jobs of Canadian workers. That is one reason why thousands of people will be here in Ottawa today to protest the failure of Canada to protect Canadian jobs and Canadian workers through these types of trade agreements. That shows why it is so crucially important that we pay attention to these agreements as we sign them and as we develop them. I am glad that we have this opportunity to debate the Canada-Peru agreement here in the House today.

As my colleague from Elmwood—Transcona said, New Democrats support trade agreements but we would support fair trade agreements. We want to ensure they meet the social, environmental and labour goals of our country and that they support our democratic vision for our country and for countries around the world. We want to ensure that any agreement we enter into supports those standards.

I do not think that makes us Boy Scouts, as the member for Mississauga South indicated. I do not think the Boy Scouts would appreciate the way he slagged their intent to be honourable citizens. It does not make us Boy Scouts or naive to want to uphold those kinds of standards in these agreements. One might ask the member for Mississauga South if he is prepared to sell his soul for a mess of potage, which may be the other end of the coin when it comes to these kinds of agreements. This is a very appropriate time to give due diligence to these agreements and ensure they do what they say they will do.

*Government Orders*

We are very concerned and we always raise the context of labour rights, of environmental protections and the investor chapters of these agreements. This Canada-Peru trade deal is no different in those regards. We believe these agreements do put the interests of big business before workers and the environment and that is one reason why we do not support the agreement. We have not learned anything from the problems with NAFTA's chapter 11 on investor rights. We continue to be concerned that this would give corporate interests the ability to override the democratically elected representatives of the people of the country when it comes to corporate relations and some training relationships. These provisions have been maintained in this Canada-Peru agreement and it is one of our key concerns with that deal.

The other contextual setting that I want to give is with what happened with the U.S.-Peru free trade agreement, how that was implemented and its effects since it was signed in December 2007. It is important to understand what happened with that deal and to look at some of the differences between what the United States negotiated with Peru and what Canada has negotiated with Peru.

Some of this information comes from an article written by Mary Tharin, a research associate with the Council on Hemispheric Affairs. She has pointed out a number of problems since the negotiation of the U.S.-Peru free trade agreement. She claims, and backs it up with evidence, unlike other members of the House who seem to have opinions but no evidence, that the U.S.-Peru free trade agreement has been used by President Garcia of Peru as an excuse to dismantle environmental and labour standards that did exist, such as they were, in Peru, and that it has also led to further economic deterioration in Peru. Ms. Tharin says that this should be taken into consideration before other free trade agreements are signed by the United States. I think that is instructive for Canada before we enter into this agreement with Peru.

• (1115)

She also notes that corruption is a serious issue with the Garcia government and that there is a long and continuing history of scandals in that government, especially scandals of corporate interests and the involvement of the government and leading officials with bribery and whatnot. That context is an important one for us to struggle with as well. Do we enter into agreements that cannot guarantee the force and supremacy of law and get bound up in these terrible scandals related to the development issues of their country?

The article goes on to talk about how President Garcia has been implementing and changing the legislative framework of Peru to accommodate the U.S.-Peru free trade agreement. He has been doing it by the use of legislative decrees. In fact, in the first six months after the agreement was signed, he enacted a total of 102 legislative decrees designed to harmonize national laws with the conditions laid down in the free trade agreement between Peru and the United States.

It is interesting to note that the Peruvian Constitutional Commission has recently declared about 40% of those decrees to be unconstitutional, which again brings into question the Garcia government's commitment to the constitution, law and background framework of this agreement. There has been considerable comment

in Peru, via the Peruvian press as well as politicians and activists, that the government has used these decrees to the detriment of labour, the environment, the agricultural industry and indigenous rights there.

One of the most controversial of the legislative decrees was decree 1015, which was passed in May 2008. That decree was designed to facilitate the privatization and stripping away of communal lands held by indigenous and subsistence farming communities. Any of us who know anything about Peru know that communal land is essential to the Peruvian understanding and the traditional way of life in Peru.

Previously, the law in Peru required a two-thirds majority in congress to authorize any land sales from these communally held lands. However, decree 1015 lowered this requirement to a simple majority in a clear attempt to encourage those kinds of sales and subsequent exploitation of the land by foreign and domestic entrepreneurs. That is one of the key changes that came about, despite the agreement between the United States and Peru.

Another legislative decree, 1064, eliminates the ability of landowners to negotiate with oil and mining companies over the use of their land. Before that decree, companies had to reach an agreement with property owners in order to buy or rent their land for commercial use. Only if negotiations failed could companies turn to the government, specifically the ministry of mines and energy, to force owners to sell their land. Decree 1064 cuts out landowners completely, leaving the entire negotiation process in the hands of government.

Certainly, by our standards, this would be a significant backward step in how landowners and traditional communal landowners in Peru deal with the negotiations with oil and mining companies. In the context where Canadians are increasingly aware of the activities of Canadian corporations overseas and requiring stronger measures around corporate social responsibility, I do not think the lowering of this standard in Peru says good things about our ability to enter into an appropriate agreement between Canada and Peru for trade.

Another decree, 1090, is known as the forest and wildlife law. It allows President Garcia to remove barriers that protected the country's national forest. It redefines national forest patrimony and lists protections against logging and other forms of exploitation. There is considerable comment in Peru, and among opposition critics as well, that talks about how this decree reduces transparency and eliminates input from civil society.

This also all happens in a context where the environmental standards negotiated by the United States are stronger in its agreement than they are in the agreement that Canada has negotiated with Peru. That is another key reason why we should be very concerned about this agreement. It is why I and my New Democratic colleagues will not be supporting the legislation and the agreement between Canada and Peru.

• (1120)

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Madam Speaker, it is a pleasure to rise and acknowledge my colleague, the member for Burnaby—Douglas, from beautiful British Columbia.

*Government Orders*

As a member of the Standing Committee on International Trade, the Canada-Peru trade agreement was something we spent a great deal of effort and time on to ensure the agreement would not only help the folks of Peru but Canadian businesses as well.

As alluded to by the hon. member, the softwood lumber agreement is something that the Forest Products Association of Canada, FPAC, stood firmly behind. If we did not have that agreement in place, the situation would be even more dire than it is today.

We are facing a global economic crisis. A few weeks ago I had a chance to travel to Finland to look at the forest industry there. It is hurting as well, so we are working together. We need to help Canadian businesses expand markets.

I am proud of previous Minister Emerson and our present Minister of International Trade, who is broadening opportunities in Latin America.

On this agreement, the hon. member talked about human rights and labour agreements, which is something that is very near and dear to me. He does not have a monopoly on this compassion and caring factor. Our government is concerned about that and that is why we have entered into some of the most strongest and stringent labour and environmental side agreements.

How is this agreement different than the agreement of the United States, given that we have instituted these tough regulations?

• (1125)

**Mr. Bill Siksay:** Madam Speaker, I am glad the member raised the whole discussion of labour rights in Peru because I did not get a chance to address that in my speech. This will give me the opportunity to note that the Garcia government has also continued its legislative decrees in a number of areas related to labour rights, which have been very controversial.

Peru has a very small organized labour community. Public servants are one area where the existing labour rights have been jeopardized since the signing of the agreement between the United States and Peru. Despite the arrangements it made to support labour rights in its agreement, things like punitive evaluations of current employees have been introduced into the labour standards for the unionized public service in Peru. This has been done outside of the collective bargaining process. It has eliminated not only the ability of Peruvian public servants to collective bargain, but it has also eliminated respect for the collective bargaining process.

Most Peruvians participate in what is called the informal labour market and this is a very significant issue for the majority of Peruvians. Even though there have been increases decreed by the Government of Peru, these have been unenforceable because there are no significant labour laws to do that kind of work.

It shows the kind of context where we try use some kind of lip service, and that is all we can consider it, because these agreements do not seem to have any enforceable measures to improve the adherence to the existing labour law in countries or see any improvements to those labour laws that protect the rights of workers in these countries.

The United States was unable to do that through its agreement. I do not have much faith that Canada's agreement will be able to do that for the labour standards that we are seeking to uphold and improve between Canada and Peru.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, the member has eloquently described how the American free trade agreement with Peru is superior and stronger than the current Canadian agreement that has been signed. Even in spite of that, the leadership in Peru has continued with a race to the bottom in environmental and labour areas. The government should pay attention to that and move quickly to try to renegotiate this agreement and stop this race to the bottom.

Would the member comment further on that?

**Mr. Bill Siksay:** Madam Speaker, it goes back to the whole question that the member for Elmwood—Transcona raised about the need for fair trade agreements. That has become a slogan for the NDP. It is a standard we try to live up to in our review of these kinds of agreements. There has to be respect for the people of the country with which we deal, and we do not see that in many of these agreements. That is our stand on this.

[*Translation*]

**Mr. Serge Cardin (Sherbrooke, BQ):** Madam Speaker, I believe this will be the last time I speak to this implementation bill. Practically, I owe this to the member for Kelowna—Lake Country, who of course has moved the previous question. Otherwise, I would not have been able to continue speaking on this bill.

It really is a huge undertaking to try to educate and teach some members of this House, be they Conservatives or Liberals. It has been said and we will keep saying it: in teaching, you have to repeat the message. I have a few minutes to repeat this message again.

All of them, Conservatives and Liberals alike, seem to be saying that we in the Bloc Québécois and the New Democratic Party are not in favour of our businesspeople and businesses being able to export and bring profits home to Quebec and Canada. The opposite is true, of course. In Quebec, we are great traders, and we certainly want to be able to pay for the social policies we adopt. Ordinarily we support these agreements. We always hope they will be multilateral, but in this case we are talking about a bilateral agreement between Peru and Canada.

Generally, the Bloc Québécois agrees with what is good for Quebec, but in this case, as in the other cases, no impact study has been done in connection with this free trade agreement, whether in terms of jobs in Canada, in Quebec or in Peru, in terms of workers' rights or in terms of the environment.

Sometimes we wonder how the negotiators do their jobs if they have no impact study or, if they tell us they do not have one available, they surely have some minimal impact study so they can determine what the repercussions might be in the two countries.

I have always taken the position that when I engage in a business transaction with someone, I do not want to take advantage of that person, I want both parties to come out ahead in an economic transaction. That is also what I would like to see for all of the agreements signed by this House and implemented by legislation.

*Government Orders*

Yesterday, in debate on the implementation bill, a Conservative member made comments in which he repeated that two democratically elected parties held talks and decided to sign this agreement. But democracy is the power of the people. How were the people able to be heard and consulted, to speak out against the weaknesses in the agreement on various points, whether it be in relation to the investment agreement, the environment agreement, the labour cooperation agreement or the laws governing the accountability of our mining companies?

As well, the fundamental point for which the Bloc constantly fights is to bring us, instead, agreements that are under the umbrella of multilateralism. When I talked about democracy, agreements like these truly can result in a loss of sovereignty for some countries. This is particularly the case for the investment agreement. Certainly we have to protect someone who invests abroad against misconduct the other country or the other party might engage in. But when we say that a company abroad can have more rights than the people, that is a loss of sovereignty and a loss of democracy for the country in question.

This government also has a virtually knee-jerk reaction, particularly in an economic crisis like the one we are experiencing.

● (1130)

Its initial reflex reaction is to turn to less regulated markets, as in the case of the agreement with Colombia or the one with Peru. Things were not very complicated, on the other hand, in the case of the free trade agreement with the European Free Trade Association. The Bloc quickly supported it. We know that these agreements can be beneficial, but the parties have to be equals and the country we are negotiating with has to be able to ensure human rights.

During my first speech on this bill, yesterday, I referred to the remarks of some of the witnesses who appeared before us in committee, but I did not have a chance to finish. I want to go over three of them.

First, Ms. Theresa McClenaghan told us that investor access to states was very problematic. We should not have this kind of thing in free trade agreements. She referred as well to sovereign rights—those of the other country, of course, but also the sovereign rights here in Canada and Quebec of local governments and the central government. We have a good example of this now with NAFTA and 2,4-D. That is a pesticide we do not want used on our lawns for aesthetic purposes. Well, the company is suing the Government of Quebec.

When a government can no longer legislate for health reasons or out of the precautionary principle, there is a major loss of sovereignty. This agreement on investment is faulty, just like the one with Peru.

She pointed, as an example, to the agreement between the United States and Australia, which gives no direct investor-state remedy. She said it could be a model of social and environmental protection. Ms. McClenaghan was representing the Canadian Environmental Law Association. Although she was speaking on behalf of an environmental organization, she spoke mostly about the problem posed by the agreement on investment. She said that we should just send the government back to do its homework because it had done

an incomplete job. This agreement is hardly ideal from the point of view of protecting people everywhere in the countries involved.

We also heard Mr. Rowlinson, a lawyer representing the steelworkers' union. He said labour rights were the main problem in the agreement. It mentions labour rights, of course, but talks only about basic rights and principles without really getting down to the fact that these rights need to be fostered so that the other party also benefits from the agreement. What it says about labour rights is very simply based on what currently exists. The same is true of environmental rights. They too are based on what currently exists in that country.

Automatically, we think that the mining or oil or gas companies set up there because there are collateral benefits. They have the advantage of a much weaker labour rights base. So it costs them less. The same may be said for environmental rights, and so it costs less to operate mines in these countries.

This gentleman wanted these rights included in the main agreement and not in the side agreements or parallel agreements, which, by their very nature, never meet. They are totally separate and based always on the minimum.

● (1135)

There was also Mr. Cameron, a lawyer who came as an individual and who told us that Peru, like Mexico, was divided into two social classes—the one benefiting directly from these agreements and the bulk of the population, benefiting much less.

I would like to come back to this important principle, as one member has introduced a bill and another a motion to make the mining, gas and oil companies operate more responsibly. If they are aware of the importance of all that, they will understand that they must reject this government's measure and not vote in favour of this implementation act. They must have it set aside so the government can redo its homework. In the meantime, they will be able to get their motion and bill passed, and we will support them in this regard, but not with regard to the free trade agreement with Peru.

● (1140)

[*English*]

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Madam Speaker, my hon. colleague from Sherbrooke is also a member of the Standing Committee on International Trade. We have had the opportunity to travel together. I appreciate his comments, but obviously we have separate positions on this specific trade agreement,

I would like to ask the hon. member about a couple of sections that we talked about within the agreement. We had the reference to the strongest labour and environmental side agreements that the Canadian governments have signed in any trade agreements. In speaking to constituents, I was talking with one not too long ago who has been in business for many years in Peru.

Looking at the health, safety and environmental measures, which are part of article 809 of chapter eight, investment, it states:

The Parties recognize that it is inappropriate to encourage investment by relaxing domestic health, safety or environmental measures.

Article 810, corporate social responsibility, states:

*Government Orders*

Each Party should encourage enterprises operating within its territory or subject to its jurisdiction to voluntarily incorporate internationally recognized standards of corporate social responsibility in their internal policies...

We had the opportunity to visit Colombia. I know that businesses in Peru have corporate social responsibilities. Canadian companies are raising the bar.

How will leaving the status quo help increase quality of life and give opportunities to the people of Peru?

[*Translation*]

**Mr. Serge Cardin:** Madam Speaker, we are not calling for the status quo but, simply, for the government to resume negotiations and improve this free trade agreement. We refer to environmental and labour rights laws because the entire agreement honours only what already exists, the fundamentals. Our businesses, however, can take advantage of the gap between the fundamental conditions in Peru and those in Canada.

So the government would do well to renegotiate. Witnesses have said so clearly. The government's negotiators were not up to scratch. They did not manage to negotiate things that should have been negotiated, and the quality of what was negotiated left something to be desired. So it must redo its homework. We will support this free trade agreement with Peru when the government incorporates rights and the side agreements into the principal trade agreement and negotiates shorter periods. We know for a fact that the US has negotiated much shorter periods in connection with rights than those Canada and Peru negotiated.

So Canada must do its homework over, and the government's directives must be more specific so that we may promote labour and environmental rights.

[*English*]

**Mr. Paul Dewar (Ottawa Centre, NDP):** Madam Speaker, I want to raise a question with my colleague from the Bloc that stems from a related bill in front of the House right now, Bill C-300, which addresses corporate social responsibility.

In light of my friend from the Conservative Party raising the issue, if we really want to deal with corporate social responsibility, I want to get his take on whether it would be better to have it embedded in a policy, not just for trade agreements and voluntary, which is the problem with this trade deal, but to have that kind of approach, that legislation, embedded in the Canadian governance model right across the board, for all companies.

• (1145)

[*Translation*]

**The Acting Speaker (Ms. Denise Savoie):** The hon. member has 30 seconds in reply.

**Mr. Serge Cardin:** Madam Speaker, the Bloc Québécois is, in principle, in favour of Motion M-293 on the accountability act and Bill C-300, which also deals with accountability.

We agree in principle. Canadian companies abroad should be made more responsible, so this is an important step. There may, however, still be a sizeable gap between the laws and regulations of the country with which we are negotiating a free trade agreement and our own laws and regulations.

Accountability should also impose severe regulations relating to protection of the environment of these foreign countries. I believe that these two aspects can, and must, complement each other.

[*English*]

**Mr. Paul Dewar (Ottawa Centre, NDP):** Madam Speaker, thank you for the opportunity to rise to speak to Bill C-24.

Many have spoken of the concerns they have around this trade agreement. I think Canadians are listening carefully to the difference between what some call free trade and what we call fair trade. There is actually a shift in the debate around trade agreements and around how trade is done globally. I think we are going to see a change in the use of the term "free trade" because of the collective experience of countries with these agreements.

When we look at the details and drill down into some of these trade agreements, the notion that there is anything free is a misnomer. When we look at the give and the take, and what we end up with at the end of these trade agreements, many people have, quite rightly, been critical. I think we are going to move toward something more in line with a sectoral approach, that we really should not be doing these massive pieces of architecture to say that we are going to be all in or all out and give certain powers to certain sectors of society over others.

When we look at the experience with NAFTA, for instance, and chapter 11, and when we look at what was given up by Canadians to allow private corporations to meddle in the affairs of our governance, it actually undermines the fundamental premise of democracy. This is not free. This is actually a change of power where we end up with less and certain entities end up with more.

It has to do with the notion of sovereignty, as well. I think that most people would agree that our Parliament should be able to pass laws that are unfettered, in terms of outside interference, and be vigilant with respect to our obligations internationally, but also provide good governance for our citizens.

That is not the case when we look at the experience of chapter 11. In fact, not just people in this corner of the House have stated that but people outside who have critiqued these agreements have said that. That is one of the problems with this trade agreement. It continues down the ill-fated path of the chapter 11 experience. If we look at it, it really puts investors' rights over the rights of citizens. The fact that private companies can sue governments, with these chapter 11 provisions over our public policy choices, is a clear indication that there is something more than a free trade or an exchange or an opening of trade. It means that we are actually laying hands on certain people and giving them rights over others; in this case, private corporations.

*Government Orders*

I want to take that observation and align it with where Canadians are at and look at what is happening right now with another bill that is before us, Bill C-300, the corporate social responsibility bill. It is interesting. When people have critiqued Bill C-300, and I have a private member's bill that is similar to it and motions have been passed on corporate social responsibility, they have been concerned that extraterritorial provisions would be given to the Government of Canada over investments abroad in the extractive industries. It is interesting because when we take a look at chapter 11, what we are actually doing is legislating the rights of extraterritorial private interests to have influence on governance here. We do not hear them talk about that.

So, on the one hand we are saying we do not want to have too many rules for corporations when we are doing business overseas because that might interfere with the conduct of the business of certain countries, and on the other hand there is this chapter 11 cheque written out and handed over to private corporations with which we do these trade deals .

• (1150)

I think that is an important issue. I think Canadians want to know why these facets within these trade deals are being set. Who is benefiting? Is this helping the citizens of the countries with whom we are entering into these trade deals? I suspect not. I know that it is not. I think it is important because when we look at this trade deal, it again is reinforcing that.

When we look at this trade deal and we look at the side provisions on environment and labour, they are just that. They are side agreements. The language is voluntary. We cannot have voluntary human rights. Either human rights are embedded and we have strength in terms of support to ensure that those human rights are being granted or we do not. Having voluntary human rights, we might as well not bother. It really does a disservice to the whole concept and notion of human rights.

I can only think what John Diefenbaker would say to that. We have side agreements on human rights. I suspect that he would not be in favour of that notion and I think that is important.

I suspect that because the government thought there would be a furor over the lack of environmental and human rights provisions, it would do a little political inoculation and put a side agreement in, put a ribbon on it and everyone will be happy.

We on this side of the House see through that. We either have it embedded and strengthened with legislation or we do not bother. To have it on the side, as was mentioned by my colleague from the Conservative Party earlier in his intervention, makes it voluntary. It is like the response by the government to corporate social responsibility where it has taken a very robust report from both business and civil society about how we can do corporate responsibility and turned it into a suggestion box, that if we have a concern we can put the concern in this box and perhaps the government will deal with it. That is not good enough. We need to take this issue seriously because it affects the lives of ordinary people.

The trade agreement, sadly, is putting on the altar environmental protection and human rights protection for what? For profit. For the

bottom line. As I said, I think people will see through that and we certainly do.

I would also like to point out where Canadians are in their view of where Canada should be when it comes to trade agreements. I want to reference a document that recently came out called "Back on the Map". It is a very comprehensive overview of a study that was done for a new vision for Canada in the world. It was done recently by a non-partisan group called Canada's World during a national citizen's dialogue. The director is Shauna Sylvester whom I met with recently. She was pointing out to me the research that was done on what Canadians want to see in their foreign policy and in their trade agreements. One of the things in the research report said that Canadians wanted to see good governance as it relates to promoting good governance in trade deals. The report is based on researchers talking to Canadians about what they want to see in our foreign policy and trade deals.

They want to see the Government of Canada take a leadership role in convening and facilitating the reform of international financial development agencies; promoting fair trade practices and corporate social responsibility, particularly among Canadian companies with overseas operations; supporting a stronger voice for developing countries within international institutions; investing in public diplomacy; shielding effective programs from partisan politics; and instituting a federal process to help with that

What they want to see is Canadian governance in trade deals promoting fair trade, promoting corporate social responsibility and promoting the values that are embedded in our Canadian fabric, not to hand over to certain companies and interests a blank cheque to decide what they want to do with it and undermine not only our democracy but the interests of those in the country of origin; in this case Peru.

For those reasons our party will not be supporting this trade deal. I wish that we would have the support of the Liberals to oppose this trade deal because it is not good enough.

• (1155)

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Madam Speaker, as a member of the trade committee, I understand the importance of free trade as I believe all members of the House do. We talk about fair trade, but we have to look at it from a different perspective and ask what fair trade means.

I have talked to many constituents about the importance of diversifying our trade around the world, and I know committee members have discussed this also with witnesses from across the country. Over 80% of our trade is with one trading partner and this has caused a lot of the economic downturn that we are seeing today.

*Government Orders*

We have the toughest side agreements with labour and environmental agreements. There are different ways of negotiating. The U.S. signed an agreement with Peru on February 1.

We talk about fair trade, but I would like to ask my colleague how this agreement is fair to Canadian businesses? They are at a competitive disadvantage every day that goes by. Quebec farmers and Prairie farmers are losing business. Businesses across the country are losing business.

How is it fair by delaying and dithering, and dodging the fact that we need to expand our market share because this agreement is going to help Canadian businesses?

**Mr. Paul Dewar:** Madam Speaker, I want to correct the member on something. The side agreements have been noted as being inferior to the agreement that the Americans have negotiated with Peru.

We on this side of the House think Canada can do better. Canada has had a solid history in the past on human rights, on labour rights and hopefully environmental rights. It is not good enough to have inferior side agreements on these kinds of critical issues.

I also want to underline the importance of getting it right. Trade agreements are about values as well as about trade. We cannot rush to get an agreement done that will leave behind our values.

Joe Clark put it well at the foreign affairs committee recently when he said that we can have trade agreements but we need to be able to pronounce our values to the world. If we give up our values in trade agreements, then our reputation is sullied with respect to diplomacy and our place in the world.

We on this side of the House think the government has to get it right. It has to take the time to get it right and protect the values that are so important to all Canadians, and to the people of Peru for that matter. The government has to make sure that due diligence is done.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Madam Speaker, my colleague is absolutely right. We should not be turning a blind eye with regard to the environment and human rights.

The U.S. had over two years with respect to its agreement with Peru and it obviously has a lot of flaws. The president of Peru, Alan Garcia Perez, actually did 102 legislative decrees on the agreement. The concerns are, based on these decrees, that they are actually unconstitutional. The activists have basically indicated that the agreement is detrimental to labour, the environment, the agriculture industry, and indigenous rights.

Perhaps my colleague could explain a bit more about why it is important that we make sure that we get it right.

• (1200)

**Mr. Paul Dewar:** Madam Speaker, I am going to reference yet again not my point of view or my party's point of view, but the point of view of Canadians. I want to reference a comprehensive study that was recently done on the point of view of Canadians. That is important data for all of us. This review was done by Canada's World, which is a centre for dialogue in British Columbia.

Canadians want the federal government to make Canadian companies responsible for environmental damage when carrying

out overseas operations. They want the federal government to pass mandatory, not voluntary, regulations for Canadian corporations overseas on human rights and environmental standards. That is what Canadians think.

I am asking the government to please listen to Canadians as well as members in this place and put this agreement aside because it is not right. Canadian values are not in this agreement.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I am pleased to follow my learned colleague from Ottawa Centre in this debate.

Quite frankly, this is the kind of debate we need to have in the House about the government's trade agenda, which is simply a carbon copy of the Liberals' trade agenda. On its trade agenda, the government essentially has shown that it is appallingly weak in negotiating and has shown an inability to set any objectives in line with what Canadians strongly believe they need to see in trade policy. The vast majority of Canadians are fair traders. They want to see a balanced approach on trade that actually provides for improvement in environmental standards, human rights and labour rights. They also want to see a trade strategy that allows for domestic growth and jobs here at home. They get neither with this bill, tragically.

Most Canadian families earn less now than they did when the Canada-U.S. free trade agreement was implemented back in 1989. We have seen an erosion for the vast majority of Canadian families. They are earning less. The ones who have profited are chief executives and corporate lawyers. They have seen their family income increase dramatically. The wealthiest Canadians now take more than half of all income in Canada, but for most Canadians in the middle class, Canadians in the lower middle class and the poorest Canadians, they have seen a substantial erosion in their income.

We are also facing a record trade deficit. Essentially we export raw materials to create jobs in other countries and we import increasingly the manufactured products that used to be manufactured here in Canada. How does the Canada-Peru free trade agreement change this? It does not change it at all. Fundamentally, even under the former Liberal government, most of the bilateral agreements that we have signed have led to a fall in exports. We simply import more from the country of origin, often with no standards applied, no labour standards, no minimum wage standards, but our exports actually fall.

*Government Orders*

To pretend that this bill is in any way part of any sort of comprehensive economic strategy is simply false. It is not the objective of the government. The objective of the government appears to be, more than anything else, just fancy ribbon cutting. Signing a trade deal has a lot of pomp and circumstance. People put their signatures on a piece of paper. They get to come to the House to say that they are doing something, but when most bilaterals have led to a fall in exports, when most Canadian families are earning less, we have to wonder. We have to think that somebody in the Conservative government would actually look at the results, would actually monitor what is going on and take measures to put in place a more comprehensive export strategy. That has not been done.

As we have cited in the House before, the Conservative government is just as bad as the former Liberal government. It is the same old, same old. One does not change the other's strategy. We are just as bad under the Conservatives as we were under the Liberals for actually providing any sort of product promotion support outside of Canada.

For the entire United States market, where 85% of our exports go right now, the Canadian federal government has a combined product promotion budget of \$3.4 million for this massive United States of America market of 300 million citizens. I will repeat that figure, because it is stunning in its cheapness, that \$3.4 million is the entire federal government product promotion support budget for the entire United States of America market. Is that unbelievable? Yes it is, but it is unfortunately true.

The government has no trade strategy. It provides no product promotion support. It seems incapable of understanding even the rudimentary elements of what a fair trade strategy would be.

• (1205)

In the OECD countries, in the United States, the debate is increasingly on fair trade as opposed to George Bush style unregulated free trade. In election after election, fair trade is winning out. People around the world want a balanced fair trade approach and not this radical, extremist, George Bush style, unregulated free trade approach. As a result of that, we are seeing elections such as the recent one in the United States where governments are changed and that agenda is stopped.

That is the approach the government has taken until now. Let us look at the specifics of Bill C-24.

The NDP voted against the softwood sellout that killed tens of thousands of jobs in Canada. We voted against the shipbuilding sellout that every single worker, manager and owner within the shipbuilding industry implored Parliament not to pass without a carve-out. The NDP proposed the carve-out and the Liberals and the Conservatives banded together. The Liberals drove the getaway car for the Conservatives and essentially adopted a bill they knew would kill the shipbuilding industry in Canada. It is a shame. We have the longest coastline in the world and we just voted a few months ago to kill progressively our shipbuilding industry.

The NDP voted against the Canada-Colombia trade deal, an egregiously bad deal. One cannot imagine how it was conceived. That regime is connected to murderous paramilitary thugs and drug lords and the government wants to give it preferential trade access to

Canada. That is absolutely absurd. We will debate that if the government ever brings it back before the House.

I think the government was as embarrassed as we in the NDP were that it even proposed such an appalling concept as rewarding a regime with massive human rights violations and connections to murderous paramilitary thugs and drug lords who killed hundreds of people last year. The president has had connections with them since his initial days as the mayor of Medellin, Colombia when the Medellin cartel ran the place. In any event, we will debate the Colombia trade deal when it comes forward.

The Peru trade deal provides no protection for the environment and no protection on labour rights. The Peruvian government has essentially refused to put its signature on International Labour Organization agreements and the government does nothing with regard to the superficial, symbolic labour side deal to address that issue.

Now we find within the Peru agreement the same chapter 11 provisions that have been rejected by every other country on earth since NAFTA was implemented. The United States moved away from it. Every other country has moved away from it.

The investor state provisions allow corporate CEOs to override democratic decision making, whether it is on the labour code or environmental standards. Corporate CEOs can actually get compensation for any public measure that is taken in the public interest. It is a cash cow. They can go to governments and get millions of dollars for nothing, simply because the government has made a decision that is in the best interests of its citizens.

In Bill C-24 there are enhanced investor state provisions that allow corporate CEOs to milk the government in Peru. We learned just last week that there was a nationwide strike among Peruvian workers because in the northeastern Amazon region of Peru, a package of laws has been passed that will open up the lands of that region to mining and drilling without consultation with local communities.

There is a chapter 11 on steroids in Bill C-24. There is no protection for environmental standards or labour standards, and now there is legislation by the Peruvian government that allows mining CEOs to override local democratic decision making. Regardless of what anyone's political stripe is, one would think that every member of the House would understand that democratic decision making is the very essence of democracy. Once we give extraordinary rights to corporate CEOs to override that and get millions of dollars in compensation for nothing, we are doing something that is profoundly unfair to the people of Peru.

*Government Orders*

For all of those reasons, the NDP is speaking out against this agreement, but we continue to press the government to actually negotiate fair trade agreements. It is not a complicated concept. It means actually raising living standards in Canada and abroad. That is done by establishing tough environmental standards, tough labour standards and human rights. The NDP will be voting no on this bill.

• (1210)

[*Translation*]

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, I have listened to the hon. member's speech, as well as those from several representatives of the Bloc Québécois.

The hon. member said that it was not good for the Canadian economy to have a free trade agreement with Peru and other countries. If our country produced goods just to meet the needs of Canadians, does he think that he and I and those watching us would have a more prosperous life? The answer is no.

Canada's strength is that we are very productive and in a position to export our products throughout the world, which gives us an economy that is far stronger than that of other countries.

That said, I travelled to Peru when I was Minister of Labour to discuss, among other things, the side agreement on labour rights. From my discussions with my Peruvian counterpart, the labour minister of the day, as well as other representatives of that country, I understood how well Canada was perceived internationally as far as workers' rights are concerned. I also understood the leadership role Canada could play in these countries.

The hon. member is likely not aware that between 50% and 60% of companies in Peru are currently not registered with the state, which means that the state does not collect any kind of taxes and is unaware of working conditions. With this agreement, businesses will now have to be registered and this will be to the advantage of the people of Peru and the workers. What is more, the agreement respects—

**The Deputy Speaker:** The hon. member for Burnaby—New Westminster.

**Mr. Peter Julian:** Mr. Speaker, I really liked the minister's question. I also like his region, Saguenay—Lac-St-Jean, where I lived for several years.

The people of that region understand that it does not come down to a choice between no trade at all and the bad trade agreements negotiated by this government. They understand that our borders will not close if we do not sign these agreements. My argument, as I said before, is that most of the time, bilateral agreements actually reduce exports. There is an ethical issue in this, and a lack of strategy.

Signing this agreement will not create prosperity here in Canada, that is for sure. The fact that the government is signing an agreement with the Government of Colombia, a country where union members are killed on an almost-weekly basis, where people disappear every day and where the regime is linked to paramilitary organizations and drug dealers, shows just how sincere—

**The Deputy Speaker:** Questions and comments.

The hon. member for Berthier—Maskinongé.

**Mr. Guy André (Berthier—Maskinongé, BQ):** Mr. Speaker, I would like to congratulate my colleague on his excellent speech. I am not surprised that the Conservatives plan to vote in favour of the agreement. After all, they have already signed it. It is in line with their right-wing ideology, as we have seen in other trade agreements.

However, I am surprised that the Liberals will be voting for the agreement. They tabled Bill C-300 in the House, a bill to ensure that Canadian mining companies behave responsibly in terms of workers' rights and the environment. They also moved Motion M-283, with which I am sure my colleague is familiar, to implement the recommendations of the National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries advisory group.

I would like my colleague to comment on that. In his opinion, why did the Liberals vote in favour of those two measures if they are voting against—

• (1215)

**The Deputy Speaker:** The hon. member for Burnaby—New Westminster.

**Mr. Peter Julian:** Mr. Speaker, that is actually a very good question.

In this House, over the past three years, the Liberals have supported the Conservatives 72 consecutive times. The Conservatives have been kept in power by the Liberals. There is no difference: the Liberals and the Conservatives have the same beliefs.

However, from time to time and in a superficial manner, the Liberals present bills to prove that they disagree.

They voted for the softwood lumber agreement, which resulted in the loss of thousands of jobs. They also voted for the agreement that sold out the shipbuilding industry. The Liberals say they will vote in favour of the agreement with Colombia—

[*English*]

**The Deputy Speaker:** Order. Is the House ready for the question?

**Some hon. members:** Question.

**The Deputy Speaker:** The question is on the motion that this question be now put. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion, the nays have it.

*And five or more members having risen:*

*Government Orders*

**The Deputy Speaker:** Call in the members.

*And the bells having rung:*

**The Deputy Speaker:** This vote stands deferred until Wednesday at the end of government orders.

\* \* \*

### CONTROLLED DRUGS AND SUBSTANCES ACT

The House proceeded to the consideration of Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts, as reported (with amendment) from the committee.

#### SPEAKER'S RULING

**The Deputy Speaker:** There is one motion in amendment standing on the notice paper for the report stage of Bill C-15. Motion No. 1 will be debated and voted upon.

I will now put Motion No. 1 to the House.

#### MOTION IN AMENDMENT

**Ms. Libby Davies (Vancouver East, NDP)** moved:

That Bill C-15 be amended by deleting Clause 3.

She said: Mr. Speaker, we are back in the House debating Bill C-15, which deals with mandatory minimum sentences for drug crimes in Canada.

I have looked at this bill, studied it very carefully, and I heard the witnesses in the committee. I think we had 16 witnesses, 13 of whom were very strongly opposed to this bill and urged us to defeat it. Three witnesses were in favour, and one was quite lukewarm in opposition. I have to say this is one of the worst bills the Conservative government has ever put forward, certainly in terms of its crime agenda.

I think we had some of the best witnesses we have ever heard at committee, but we also had some of the worst. The Minister of Justice himself was a terrible witness. He was pressed to show evidence to Canadians, the committee and members of Parliament that mandatory minimum sentencing will work for drug crimes and that it is an effective public policy initiative. When he was pressed repeatedly to show evidence, not his own opinion, not Conservative ideology, but evidence that this bill was actually a sound public policy, he could not produce any evidence, and he has not to this day produced any evidence, that mandatory minimum sentences work anywhere, and certainly not for drug crimes.

On the other side, we had witnesses, for example, the John Howard Society, that came forward, cited 35 reports, and produced to the committee 17 different studies and reports that show that mandatory minimums do not work, particularly for drug crimes.

We had excellent witnesses who came forward from Canada and also from the United States. One in particular, who I want to focus on, was the former counsel to the U.S. House of Representatives Committee on the Judiciary, Mr. Eric Sterling. He stated to the committee that his decision to promote mandatory minimum sentences in the U.S. was probably "the biggest mistake of my entire career for over 30 years in the practice of law".

We heard Mr. Sterling via videoconference, and his testimony was very powerful. We also heard Deborah Small, from the Break the Chains organization in New York, who has also been dealing with mandatory minimum sentences. They told us about the real experience of dealing with these kinds of laws.

Mr. Sterling told us that the goal of reducing drug use under these laws had failed. The goal of promoting safety in local communities had failed. The goal of raising the price of drugs while lowering the purity had failed. The goal of reducing organized crime had failed.

The minister told the committee that the purpose of this bill was not to go after the low-level dealers, the people on the street who are addicts, who are facing significant health issues and who should not be criminalized. We were told this bill was about going after organized crime, about going after the kingpins, about putting the big traffickers, the big dealers in jail.

The minister may clap his hands and delude himself that this what he is doing, but I think the government knows that the reality and the evidence shows this bill will do none of those things. This bill is clearly targeted at the low-level dealers. We heard evidence to that effect, and the experience of what has happened in the United States shows us that as well.

In committee, the NDP put forward 21 amendments. They were amendments that tried to remove some of the mandatory minimums, the worst aspects of the bill, and failing that they tried to mitigate some of the damage of this bill by changing the regime of mandatory minimums, for example, getting an exemption for medical marijuana for compassion clubs.

I am so disappointed that those amendments did not go through. The Liberal members on the committee failed to respond to those amendments and failed to support them, which really surprises me. We are now left with a bill that is going to be destructive in terms of local communities and incarcerating more and more people who are dealing with a health issue, not a criminal justice issue.

● (1220)

I feel we are at this terrible place where we have a bill that looks like it is going through. It is simply really bad public policy. It is going to increase the prison population, particularly the provincial prison population, because most of these mandatory sentences that are two years or less will be under the provincial jurisdiction. Again, the minister could not tell us how much that was going to cost. He could not tell us how many more people are estimated to be imprisoned as a result of this bill.

Our fear, and in fact the information we have, is that this bill will target what VANDU in the downtown eastside called the "low hanging fruit", people who are easy targets on the street. They are the people who are going to be hit by the mandatory minimums in this bill.

*Government Orders*

We gave so many examples at the committee of how this bill is going to be abused in terms of who is going to be hit by it and how wide the scope of enforcement is. For example, we know that one of the provisions of an aggravated circumstance is if one rents. We might have the situation of a student, a young person or an adult who is renting, and even by giving one plant to a neighbour they would incur a mandatory minimum sentence of nine months and a maximum, potentially, of 14 years.

In the current Controlled Drugs and Substances Act, there would be no minimum, but the maximum would be seven years. We can begin to see how punitive this regime and this bill are and how the bill can be applied to people who are creating no serious harm. They are not the kingpins. They are people who are maybe dealing with medical marijuana, growing medical marijuana. They may be involved in a compassion club. They may have a couple of plants for recreational use.

I think that most Canadians understand that criminalizing drug users, criminalizing marijuana users, has not produced any change. The real emphasis we need to look at in society is prevention, education and treatment, what we call the four pillar approach. That does include enforcement, but the government has decided to focus all its firepower on enforcement and on a punitive regime that is now going to capture so many people who will have criminal records as a result of this bill.

We, in the NDP, are very disappointed that this bill is at the point where it looks like it will go through because it has the support of the Liberals who are supporting the Conservatives. I am very grateful to the members in the Bloc who understood clearly what this bill was about and from the beginning decided they would not support mandatory minimums.

We tried very hard to get those amendments through the committee. One of the things I was most concerned about were the amendments that would have removed or exempted medical marijuana. In fact that adds insult to injury. The federal government has shown a complete lack of respect and understanding for medical marijuana users, even most recently in the court decision where the federal government tried to appeal a decision that would have opened up access to medical marijuana. Thankfully, the Supreme Court of Canada turned down the federal intervention, but even so, with this bill it will now be cracking down on medical marijuana users with mandatory minimums.

Our amendment today would remove clause 3, which has nine mandatory minimums within it, eight of which are for marijuana. We believe this is a very problematic part of the bill. We think it should be deleted.

I would urge my colleagues, particularly in the Liberal Party, to think twice about what they are doing in terms of supporting a policy and a law that is going to hurt people, put more people in jail and criminalize drug users instead of approaching this as a health issue. I think the Liberals know that mandatory minimums do not work. They have seen the evidence as well.

We urge the House to reject this bill and to deal with the issue of substance use in our society from a comprehensive perspective, not simply by bringing in these wacky laws that criminalize people, put

more people in jail and, in the end, do not actually change the situation.

• (1225)

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I guess it is back to business as usual for NDP members. They completely oppose to a bill that is directed at drug traffickers. We are zeroing in on drug trafficking all the way through the bill, but they now completely oppose it. That is a slightly different message than I received on three trips to British Columbia a couple of months ago. I had reporters say to me that I must be somewhat encouraged because the NDP had said it would keep an open mind about getting tough on some of the problems that B.C. that involved drugs, gangs and guns. I told them that I hoped it continued.

I do not know quite where the dividing line was. I think it was about 10 seconds after the British Columbia election was completed and then it was back to business as usual. The NDP is no longer in the business of getting tough on crime and standing up for victims and law-abiding Canadians, and that is very disappointing. It is a mischaracterization of the bill to say that it is going after users. Users want to be helped and we want to help. We are going after traffickers.

I disagree completely with the member. The last time she spoke, I did not get an opportunity to say this, but she went on to say that the government was targeting people who were trafficking in drugs around schools, that this was somebody who maybe used to go to the school and was back talking to a few friends and that a little drugs and money went back and forth. This is the last kind of individual school boards and schools need, a former student back to sell a few drugs on the playground or in the neighbourhood surrounding it.

School boards, parents, teachers and law-abiding students, who are there to get an education, do not want them. However, the NDP has spoken out against that and all the other things. It says that these poor dealers are selling a bit of drugs for a bit of money.

We are sending out a very clear message to those people and we are standing up for law-abiding Canadians who do not want this problem in their backyard. I am very disappointed that the NDP has completely folded 10 seconds after the last B.C. election.

• (1230)

**Ms. Libby Davies:** Mr. Speaker, we are willing to stand and tell the truth. We heard the minister say that the Conservatives were sending a clear message and getting tough on traffickers. The fact is the bill applies to one plant all the way up to over 500. I have given examples where people could be convicted of trafficking for simply giving one plant to a neighbour or for being in a car and transporting a plant.

I will tell the minister what people in B.C. are saying. Ann Livingston, the executive director of the Vancouver Area Network of Drug Users, says:

There's a term that's used for arresting people who use drugs in our neighbourhood and it's the low-hanging fruit. There's a sense of shooting fish in a barrel.

*Government Orders*

That is what the minister is doing. Those are the easy targets. The bill will not go after the kingpins, otherwise it would not make references to the drug treatment courts.

Philippe Lucas, who is from The Vancouver Island Compassion Society, says that Canadians deserve policies that will actually achieve this goal of dealing with problematic substance use and not ill-considered responses that have been proven to actually increase judicial and incarceration costs, as well as the transmission of HIV-AIDS and hepatitis C.

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, my friend has appeared with us at justice committee, arguing her case with respect to this issue. However, she was not with us in British Columbia when the committee travelled there to hear about the scourge that drugs had played on society there.

She pretends that the bill is not about trafficking. Her amendments are largely about trafficking in marijuana. One of the amendments made was to increase the lower threshold to five plants, from zero plants, but still growing for the purposes of trafficking. The Criminal Code has a definition of what trafficking means.

As the father of three young girls in school, trafficking is probably a bad thing. She is saying that higher levels of trafficking are worse. I do not disagree with that. However, the government is only offering us a few tools. Why do we not embrace this, recognize that drug treatment courts are an option to avoid sentencing and get on with pressing the government for more meaningful attacks on the war against crime.

**Ms. Libby Davies:** Mr. Speaker, it is very unfortunate that the Liberal members have chosen to support the bill for what are purely political purposes. They are so concerned about their image of not being tough on crime. The fact is there is such overwhelming evidence that mandatory minimums not only do not act as a deterrent, but they will actually increase backlog of the court system, they will increase incarceration and the cost of doing that without stopping drug use itself. Therefore, I think the member—

**The Deputy Speaker:** Order, please. I will have to stop the hon. member there.

I should remind all hon. members that when they are in the chamber they should ensure that cellphones, pagers and laptops volumes are turned off. I do not know whose that was, but I heard a cellphone ringing.

Resuming debate, the hon. member for Edmonton—St. Albert.

• (1235)

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Mr. Speaker, it is an honour for me to rise and speak in opposition to the NDP's attempt to amend Bill C-15, an amendment which in my view would eviscerate it by taking out all of the minimum mandatory sentences.

The legislation was introduced as part of the government's commitment to tackle crime and to provide safer communities for all Canadians. The bill proposes, among other things, a number of mandatory minimum penalties, or MMPs, for serious drug offences involving schedule 1, which includes heroin and cocaine, and also schedule 2 substances such as cannabis and where there exists certain aggravating factors such as where violence was used to

commit the offence or the offence was committed for organized crime.

One of the most important elements of the bill is the MMPs proposed for the offence of production of schedule 1 drugs such as cocaine and methamphetamines and schedule 2 drugs such as cannabis. This motion proposes to remove this very important clause from the bill. As I indicated, it would essentially eviscerate the bill and render the rest of the clauses meaningless.

Clandestine drug labs and marijuana grow operations, or MGOs, have increased significantly in the last few years. They very often constitute a serious threat to the personal safety of persons who are not even involved in the commission of the offence. Meth labs, for example, pose significant risks to public health and security because of their production process. In meth labs there is the risk of explosion, fires and contamination from making methamphetamine.

As the hon. member for Vancouver East will recall, when we were in Vancouver, we heard from the fire chiefs of greater Vancouver. They rightfully pointed out that this was a significant risk to the entire public, not just those involved in the purchase and sale of drugs.

MGOs present other equally serious risks. For example, the bypassing of electricity meters illegally to obtain the power necessary for the MGO constitutes a further fire hazard. Setting traps to protect the grow operation from other criminals put at risk first responders who are called in to extinguish the fires. Use of volatile pesticides and fungicides pose a threat to persons living in or close to such illegal operations. Purely innocent individuals, as innocent third parties, are often caught up in these marijuana grow operations and the organized crime that live off their profits.

Another major concern is the presence of families with young children in the clandestine labs or MGOs. Many clandestine labs and marijuana grow operations install families in their homes where these activities take place so as to give them the aura of normalcy and legitimacy. We can certainly appreciate the clearly apparent risk and harm that is put on children who are put in that very difficult and negative situation.

Finally, innocent homeowners who rent out their houses frequently find that the renters have used their property for grow operations and have caused tens of thousands of dollars in damages to their property. Again, another innocent victim, not a person involved in the drug trade, is victimized by these growing MGOs.

There are very good reasons for wanting to ensure that persons who are involved in the illicit production of such substances are subject to harsher penalties than what is now available in the Controlled Drugs and Substances Act. Clause 3 addresses the serious problems described—

[*Translation*]

**The Deputy Speaker:** The hon. member for Abitibi—Témiscamingue is rising on a point of order.

*Government Orders*

**Mr. Marc Lemay:** Mr. Speaker, we can no longer hear the simultaneous interpretation.

• (1240)

[*English*]

**The Deputy Speaker:** There is translation now.

The hon. member for Edmonton—St. Albert.

**Mr. Brent Rathgeber:** Mr. Speaker, I will wrap up by stating that clause 3, which is the subject of this amendment, addresses the very serious issues that these grow operations and other drug operations contribute to society. For that reason, I will be opposing this motion.

I encourage all hon. members of the House to similarly oppose this motion. Bill C-15 is part of the government's agenda to get tough on crime and to put serious drug dealers where they belong, and that is in prison.

[*Translation*]

**Mr. Marc Lemay:** Mr. Speaker, that is why I wanted to ensure that I could hear the simultaneous interpretation because I was listening carefully to what my colleague was saying.

I have but one question for him. Can he, can he, can he—I am repeating it three times to ensure that it is actually translated—today in the House or in committee, as we have requested several times, present one single study—I want just one—that shows that mandatory minimum prison sentences can solve the problem raised by Bill C-15?

It is a fairly short question and I await the reply.

[*English*]

**Mr. Brent Rathgeber:** Mr. Speaker, I have learned to respect the opinions of my friend from the Bloc Québécois. We serve together on the public safety committee.

Much has been made, not only by the Bloc but also by the member for Vancouver East, about empirical studies regarding the effectiveness of mandatory minimum sentences. It is a very difficult matter in that we have so few mandatory minimum sentences in the Criminal Code, except for the most serious offences such as murder, which mandates a minimum mandatory sentence of life imprisonment and then mandatory periods one must serve before being eligible for parole. With that and very few exceptions, there are very few minimum mandatory sentences in the Criminal Code.

Therefore, it begs the question as to how an empirical study can show that mandatory minimum sentences are effective when we have so few of them? In fact, one time in committee my friend from Vancouver East referred to, and she will acknowledge this, mandatory minimum sentences as a novel or radical approach. She is right. We do not have them except for homicide and very serious offences to the person.

It is impossible to produce an empirical study to show the effectiveness of mandatory minimum sentences with respect to drugs or with respect to less serious violent crime when those mandatory minimum sentences are absent in the Criminal Code.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, having worked at probation and parole for over 13 years, people who stay in jail for a lengthy period of time,

unless there are services and programs available to them within those institutions, will not come out any better.

If the government is planning to use mandatory minimum sentences, is it prepared to commit dollars to ensure programming is in place to assist people in rehabilitating themselves?

**Mr. Brent Rathgeber:** Mr. Speaker, as the member can appreciate, nothing in either Bill C-15 and certainly nothing in the NDP amendment to Bill C-15 in any way remotely touches the issue of programs in penitentiaries or in the provincial jail system.

However, drug treatment courts are still available and are being promoted by the government as a diversion for those individuals who have addictions to drugs. They can avoid a minimum mandatory sentence upon recommendation if they effectively and successfully complete a program that is prescribed by the drug treatment court.

**Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC):** Mr. Speaker, I want to address a couple of things before I ask my question. The Bloc Québécois and NDP members were talking about overwhelming evidence, is what the NDP member said, that minimum mandatory sentences backlog the courts, for example. I can assure them that after almost 19 years of policing, we on this side of the House appreciate that there are backlogs. We care more about the safety and security of Canadians. Backlogged courts are a result of, most important, the two-for-one pre-custody credit. We are looking at revoking that. I am hoping that the Bloc and the NDP will support us, given what they have said about this.

I would like to ask a question of my colleague with regard to simple possession of marijuana. There are certain people asking repeatedly if this will apply to simple possession of marijuana. Will they receive a—

• (1245)

**The Deputy Speaker:** There are only a few seconds for the hon. member.

Resuming debate. The hon. member for Moncton—Riverview—Dieppe.

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, it is my pleasure to speak to the proposed amendment to Bill C-15.

Bill C-15, like many of the other Conservative bills, purports to be a cure, the be all and end all, a large solution to an even larger problem. It is a very small step in the war on drugs, Canada's new anti-drug strategy. There is Republican-like language to the war on drugs. There is Conservative-type language to the national anti-drug strategy. The real issue is about the amendment to the bill, which is but a tiny step toward the overall goal of dealing with drugs in our communities, the abuse of drugs and the treatment with respect to drugs.

*Government Orders*

This bill provides minimum penalties for serious drug offences. My hon. colleague from Alberta who is on the justice committee fairly summarized those steps forward. It increases the maximum penalty for cannabis or marijuana production, which in fact is what this amendment is mainly targeted at eradicating from the bill. It also moves certain drugs from one schedule to another, recognizing the more serious nature of their abuse, which again my friend from Alberta on the justice committee made very clear and very convincingly so.

It also requires that there be a review of the act undertaken and reports submitted to Parliament. This was as a result of an amendment at the justice committee. It is a very good step toward dealing with that lacuna, the lack of evidence we hear with respect to the efficacy of mandatory minimum sentences.

I find it ironic and actually funny that people unknowingly say “mandatory minimums” or “minimum mandatories”, but the people who are against mandatory minimum sentences perhaps slip into a Freudian thing where they want a minimum of mandatory sentences. However, it is actually a mandatory minimum regime which has been used in the United States with conflicting evidence, for sure, and it is being imported with increasing regularity by the Conservative government.

Let us keep in mind the historical context. We have had mandatory minimums for a long time in this country, and there ought to be some evidence about how they are working. That is one aspect that is very good about the bill. Finally there is a reporting mechanism back to Parliament, as there was with the Anti-Terrorism Act. That is a good thing about the bill.

Finally, it is the first time in the three and a half years that I have been here that there will be an alternative to the mandatory minimum sentence for the convicted trafficker, let us say, by going to the drug treatment court. This is an option of an accused and convicted drug trafficker. He or she will have the choice to go to a drug treatment court, which is a diversion from the criminal justice system of incarceration, perhaps without treatment, as our colleague from the NDP suggested. It is a very novel approach for Canada, because unlike its introduction in the United States some 20 years ago, and it flourishes in the United States, we have a very sparse distribution of drug treatment courts in Canada.

We can handle this part of the bill. We can say to criminologists that this is a way to avoid the imposition of the mandatory minimum in that an accused can say that he or she will go to the drug treatment court and will try to get better.

Those drug treatment courts should be expanded. They should be resourced. They are not adequately geographically dispersed throughout this great country of ours. They are in major centres, but where they are, they have met with some success.

At committee, we did not get to hear from the Attorney General of Manitoba. He sent us a very complete brief on the subject, about 20 pages of suggestions. He lauds the Winnipeg drug treatment court and hopes that the government takes seriously this anti-drug strategy by resourcing it, by making sure that we get to the cause of drug abuse and that we get to issues of treatment with respect to drug abuse.

I have heard from various law enforcement officials, the chief of which was the Chief of Police of this fine city of Ottawa, who is responsible for making sure that, unlike D'Arcy McGee, we get home safely every night from this place. He was very compelling in suggesting that drug treatment courts work, but the government has to take seriously the issues of prevention and cause and treatment. Everyone knows that, yet the statistics are quite boggling.

• (1250)

I can support Bill C-15 for the minor steps it takes, but I want to discourage members from supporting the NDP amendment. The amendment attempts to say that if someone is convicted of growing 5 to 200 marijuana plants for the purposes of trafficking, which means trying to sell those drugs to people like my children, the person should not be given a mandatory minimum sentence, when we are at war on the issue of drugs.

To say that we support the bill does not in any way say that we are stepping away from our obligations and the government's obligations to be serious about studying the root causes of crime, and in particular drug crimes and drug abuse. It does not mean that we are stepping away from our obligation and the government's obligation to be more serious about combatting organized crime, which feeds for its lifeblood on the growth of drugs, including cannabis and marijuana.

There seems to be an attitude coming from that side of the House over to my left that it is cannabis, it is a joint, and if it is given from one friend to another, they will be trapped by this legislation. The bill is very clear to me. If someone grows 200 plants and that person is caught for trafficking, that is, selling those plants to people like my children, that person is going to do a minimum sentence in this country. That does not seem all that shocking to me.

What is shocking is that in the three and a half years I have been here the government has stood up time after time saying that the bill would go toward its national anti-drug strategy and achieve success. It is right to ask where the evidence is on mandatory minimums. It is right to ask where the evidence is on the efficacy of drug treatment courts. What is missing is a response on those two questions.

There has been a fairly long history of mandatory minimum sentences. There has been a long history with respect to drug treatment courts, as sparsely dispersed as they are throughout the country. There ought to be some compelling evidence from the government that these are worth resourcing, and yet they are not being resourced to the level that is needed.

There is no drug treatment court in my province of New Brunswick. I laud the bill because it would give someone an opportunity to pick drug treatment court. For the average person who has an addiction and does a property crime and perhaps is perhaps convicted under this offence, that person will not have a chance to take advantage of a drug treatment court, not because of this law, not because of the Criminal Code, but because there has not been the élargissement, the widening of the drug treatment court program.

*Government Orders*

As much as we support the bill and reject the NDP amendment, the bigger issue is when the federal government spends, and these figures go back some years, \$426 million on drug programs, and \$164 million goes to the RCMP, \$157 million goes to corrections, and only \$8 million to \$15 million goes to Health Canada for treatment. The 90% that goes into detection and corrections heavily outweighs what is spent on prevention, rehabilitation and finding out how we might stop people from using and abusing drugs. We know from all the evidence we have heard that is the goal here.

We need to know whether the government will stop flouting bills on the 5 o'clock news and saying it is doing something, and stop ignoring the idea that a lot of these programs, such as drug treatment programs, have to be resourced. They have to be expanded. We are a country from sea to sea. There are drug abuse problems in all parts of this country, not just in big cities. Drug abuse is as prevalent in rural and poorer areas of our country as it is in big cities.

Where is the access to the drug treatment courts to make Bill C-15 more effective? Why does the NDP think that being convicted of selling 5 to 200 marijuana plants is some small offence when really that is all the bill is aimed at?

• (1255)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, the Liberals used to have a half decent drug policy but they seem to have abandoned it. After listening to the member's comments and questions today about this bill, a member who was the lead member on the justice committee, I really do not get it. This bill goes in exactly the opposite direction of the so-called four pillar approach that I understood the Liberal government had adopted a number of years ago.

The member talked about drug treatment courts. Canada has only six drug treatment courts and they do not work very well. A lot of information shows that they have very mixed reviews. They hang their hat on the fact that this is about drug treatment courts but it is not. This is about mandatory minimums.

The Minister of Justice said that this bill would make it illegal to deal and sell drugs near schools. Could the Liberal member confirm that in the existing Controlled Drugs and Substances Act it is also illegal to sell drugs near schools?

**Mr. Brian Murphy:** Mr. Speaker, I think the member was present in committee when we heard evidence from justice officials that the law exists to penalize that but it also exists so that for serious trafficking offences large sentences will be meted out.

All this bill says is that if people grow 200 plants, they will receive a minimum sentence of six months if it can be proven that those plants were intended to be used for the purposes of trafficking. Selling 200 marijuana plants for commercial purposes to users who are then themselves subject to the minor offences that my friend would lead the House to believe are covered by this act, is scare-mongering of a different kind.

We get scare-mongering from the Conservatives all the time. They prop up a bill and then do nothing about the underlying root causes, rehabilitation and treatment. However, the scare-mongering of the other kind is to say that it is okay to grow 5 to 200 plants for

commercial purposes, be proven under the existing code that it is trafficking and not to be penalized when we are at war with drugs.

[*Translation*]

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, I listened carefully to what my colleague had to say, and I have a question for him.

He mentioned a large figure, and I will come back to the services provided in penitentiaries. One has to visit a penitentiary to see how things happen there and to have some understanding of the situation. Since the member comes from New Brunswick, I would like him to explain something to me. In the figures the government released about treatment centres and services, did he see any amounts that could, should or will be paid to the provinces?

The problem with this bill is not related to time served in a penitentiary. The bill imposes six-month minimum sentences. These sorts of sentences are served at the provincial level. Among the figures, did he see any amounts of money that would be transferred to the provinces for drug treatment programs in correctional facilities?

**Mr. Brian Murphy:** Mr. Speaker, in two or three past budgets, the Conservative government changed the equalization formula for all the provinces. In New Brunswick, that means far less money for social services, crime fighting and rehabilitation services. That is very clear. But that is not what we are talking about today.

We are talking about the amendments proposed in Bill C-15. It will mark a small step in the war on drugs. I am in favour of that. But I am totally opposed to the steps the Government of Canada has taken with the provinces and against New Brunswick. There is not enough money and there are not enough resources to implement this system. Bill C-15 will place a very heavy burden on the provinces. It is clear—

• (1300)

**The Deputy Speaker:** Resuming debate, the hon. member for Abitibi—Témiscamingue.

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, I thank my colleague from New Brunswick because I will start exactly where he left off.

The fight against drugs, like all battles, must continue on several fronts. That is the problem with the Conservatives and unfortunately it is the trap into which the Liberals have fallen in supporting Bill C-15.

I will say from the outset that we will not support the NDP amendments. We too find that 200, 250 or 300 plants is a fair bit of trafficking. However, we at least were able to ensure that it does not apply to just one plant. They relented somewhat.

*Government Orders*

That is not the problem. The problem is that we are dealing with minimum prison sentences. The Conservatives have really understood absolutely nothing and will never understand until they are defeated. Perhaps then they will ask us questions in an attempt to understand. They will never understand that minimum sentences do not solve the problem of crime. I hope that I have said it clearly enough and without shouting. I know that they will not get it. I even spoke to the minister about it when he appeared before us. It does not solve the problem. He answered that there would be fewer criminals at large, but that is not true. Minimum prison sentences, and especially Bill C-15, will create many more problems.

This begins with a minimum six months jail sentence. I agree with this, and I will revisit this when we get to the in-depth debate. It is, however, important to stress that minimum prison terms do not solve problems, and never will. The proof of this is that the Conservatives have never been able to table a single study. I can table at least a dozen that demonstrate the opposite, and not from just anywhere either: from the United States, for example. The Conservatives take their cues from the U.S., so let them go and see what is happening there. There are also studies from Australia and New Zealand. They can speak and read English, so they should understand. In the U.S. and in Australia, in northern Australia in particular, studies have been carried out since 1992 on legislation that imposes minimum prison terms. That is not just last week. The studies are clear, and I will read slowly to be sure they get it.

Evidence shows that long prison terms increase the probability of recidivism...

I think I will repeat it. These are not my words, they all come from studies.

Evidence shows that long prison terms increase the probability of recidivism... In the end, public safety is more compromised than protected if the courts lock people up and throw away the key.

That is exactly what they are doing. Getting rid of them, locking them up for as long as possible, thanking heavens that they are not getting back out too frequently. Unfortunately, that is not the way things work. I have a little news bulletin for them. They have not been inside a penitentiary for a long time. I do not want to hear that this one was a police officer for 15 years, others Crown prosecutors. They need to have been inside a prison. I can organize a guided tour if they like. We will show them how things work. Not the way they would like them to.

Unfortunately for them, inmates eventually come out. That is where the problem lies. Mandatory minimum sentencing solves nothing. The problem is not when they go to jail—I repeat, not when they are going in—but when they come out.

●(1305)

In other words, they get out too fast. The men—since 90% of the time it is men who serve prison sentences, and the majority of my clients were men—get out too fast. When a judge carefully studies a case, pronounces a sentence and tells the individual before him that he deserves three years in prison, and then eight months later meets that man on the street, we have a problem.

The problem that the Conservatives have yet to understand is that, even if they impose a minimum prison sentence, these men and women will be entitled to parole. Even if an individual is given a three-year sentence, it is not certain that he will serve a minimum of

three years. No. The suggestion is for a three-year sentence. What will happen in prison if this is the individual's first conviction? Suppose he is a good sort who causes no problems? Right: he will be released after serving one third of his sentence.

Those in this chamber who know how to count know that 36 months divided by three gives 12 months. There is no program. Those who know and are following this, apart from the Conservatives who know nothing, should realize that less than 12 months in a penitentiary is not enough time to work with the individual. Why? Because the individual is sentenced to 36 months, but he does not go straight to prison. He goes to a federal reception centre, where he spends three to four months having his case analyzed to see what can be done with him.

The Conservatives do not understand that the problem is not with the highly criminalized individuals. That is not just my opinion. Studies say that the problem is that this does not target the most notorious and most dangerous offenders, who are already subject to very strict sentences, precisely because of the nature of their crimes.

This means that someone who goes around with a gun selling drugs has to serve, from the outset, a sentence of three years. He is sentenced to three years. On top of that is the sentence for trafficking narcotics. Those who tell me they want to get traffickers off the street are correct on this point, perfectly correct. Everyone wants to get traffickers away from schools. However, we can look at the definition in the bill with respect to an individual trafficking near schools. I can guarantee—and I say this honestly—that bad laws make good lawyers rich. Some will become rich thanks to the laws that the Conservative Party wants passed, particularly this Bill C-15. I will give another example. This bill will have a disproportionate impact on minority groups in Canada that are already suffering poverty and privation.

The aboriginal peoples are a good example. Look at the west. There must be a few Conservatives who come from the west. They should go see what is happening in the western prisons, how many aboriginal people are there compared with the rest of the population. They might realize that there may be a problem somewhere. This is what they do not understand.

I have only a minute left, so I will speak quickly. Being tough on crime has never solved anything. Yes, sentences are necessary and criminals have to be taken off the street. However, I repeat: the problem is not when they go into prison, it is when they get out. Let them serve their sentences. The Minister of Public Safety should explain why he is not proposing a bill to amend the Conditional Release Act. That is where the problem is. The judges who pass sentences have taken the trouble to analyze their cases. I tell you that criminal activity is not going to be resolved with this bill. In fact this bill is going to increase it.

●(1310)

[English]

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Mr. Speaker, I stated earlier, when the member asked me a question, that I served with him on the public safety committee. It was actually the justice committee, so I wanted to correct that.

*Government Orders*

I have heard him speaking many times in the justice committee against minimum mandatory sentences, citing his belief that they have no deterrent value.

I have a couple of questions for the member. He comes from the province of Quebec where we have been studying the fairly intense organized crime issue that is currently going on in that province with bikers and other gangs that are making a lot of money off of cannabis and other illegal substances.

What is the solution for the recidivism among people in organized crime who traffic in drugs if the member does not believe in minimum mandatory sentences?

I appreciate that he is against minimum mandatory sentences and he quoted several times that long detention increases the probability that the individual will commit further crimes. However, will the member at least acknowledge that during the duration of a prison sentence that individual has no ability to commit further crime?

[*Translation*]

**Mr. Marc Lemay:** Mr. Speaker, the answer is no. That individual will commit other crimes, because those who serve prison sentences, those who are members of the Hells Angels—who are well known in Quebec—direct their trafficking activities from prison. And that is a fact.

Crime is a very serious problem. However, imposing minimum prison sentences will not solve it. The problem is that criminals are not serving their time. They behave themselves in prison. They are decked out in white collars and are cleaner than clean. They never committed any crimes, but when they are in prison, they are released too early and they never serve their time.

When it comes to crime and the Hells Angels in particular, the Bloc has worked very hard in this House to change the legislation and seize goods obtained from the proceeds of crime. We are beginning to have an impact there, and that is why the Conservatives have a problem. The key element here is to prevent people from receiving the money they earn from criminal activity.

**Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC):** Mr. Speaker, I thank my hon. Bloc Québécois colleague for his speech. I also wanted to quote some other people. My colleague quoted some excerpts from studies, and I would also like to quote some before I ask my question.

[*English*]

I am going to quote in English:

We have to send a strong message, especially to high-repeat offenders, which the bulk of them are, that this will not be tolerated, and that if you get caught you're going to get a certain sentence—count on it.

Who said that? Dr. Daryl Plecas from the Royal Canadian Mounted Police research chair and director for the Centre for Criminal Justice Research, School of Criminology and Criminal Justice, University College of the Fraser Valley.

Therefore, there are researchers who are in support and who believe in what we are doing. When my colleague opposite said that if we have minimum sentences, we are going to see a higher rate of recidivism. Most of these drug offenders, according to some of our experts, are already repeat offenders.

We need to protect Canadians from these repeat offenders. We need to do everything in our power to make sure they do not drag our children into a drug world and that they do not drag our children into drug addiction.

That is why I believe strongly in the measures our government is taking. However, I want to ask the member a question.

• (1315)

[*Translation*]

He said that minimum sentences will not solve the problem of crime. However, doing nothing will not help the situation either.

If my colleague has a magic bullet to solve all the problems of crime, can he share it with us?

**The Deputy Speaker:** The hon. member has 30 seconds to conclude.

**Mr. Marc Lemay:** Mr. Speaker, I will be brief. Hon. colleague, the magic bullet is no mystery. Offenders have to be made to serve their time. They should not be released after serving eight months of a 48-month sentence.

The Bloc has always said that, and it is part of our platform, which I invite my colleague to reread. Naturally, your colleague over there has not read it, but that is part of our platform. Inmates must serve their sentences. The problem is not when offenders go into prison, but when they come out. The problem is that they come out too soon. It is too bad, but until the Conservatives understand that, they can pass legislation and do what they like, but it will not solve the problem. The Parole Act must be amended.

[*English*]

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I rise today to support Bill C-15, An Act to amend the Controlled Drugs and Substances Act. With respect, I do not support the NDP amendment.

Mr. Speaker, I wonder what your earliest memory is. I asked my colleagues and their memories were of eating ice cream for the first time, playing in a sandbox and reaching for the sky while swinging. Mine is of a dark, wet night, hitting my head on the back of a red Valiant seat, a police officer rolling down the window and then touching my forehead, an x-ray machine, a bandage, and my mother crying. I was four and we had been in a drunk-driving accident.

Today, most Canadians understand that impaired driving threatens the lives of innocent road users and that it is a criminal offence that carries significant penalties. However, what about drivers who are under the influence of cannabis or other drugs? Stoned drivers are not safe drivers as drug use affects both perception and responses. Therefore, before I tackle the main thrust of this bill, namely, stronger drug laws to reduce gang violence, I want to address drug-impaired driving and why penalties for drug dealing with violence, running a large grow-op or trafficking are important.

*Government Orders*

A British medical journal study of over 10,000 fatal car crashes showed that drivers who tested positive for marijuana were more than three times as likely to be responsible for a deadly accident. A New Zealand study showed that habitual marijuana users were nine and a half times more likely to be involved in car accidents, showing that both acute and chronic drug use can alter perception in crashes. The World Health Organization reports that cannabis impairs cognitive development and psychomotor performance in a wide variety of tasks, including divided attention, motor coordination and operative tasks of many types.

Human performance on complex machinery can be impaired for as long as 24 hours after smoking as little as 20 milligrams of THC in cannabis. Drug-impaired driving, like drunk driving, shows a woeful disregard for human life. Data provided by Mothers Against Drunk Driving showed that in 2006 impaired driving in Canada by drugs other than alcohol resulted in over 1,200 fatalities.

In 2000 Canadian police departments reported a total of almost 88,000 drug offences. Drug use is widespread in our society and so is the practice of hotboxing or smoking marijuana in an enclosed space such as a car or small room in order to maximize the effect. Youths to professionals hotbox on the way to school and to the office. What would happen if cannabis penalties were reduced? One research study showed that 2.5% of fatal crashes were attributable to marijuana compared to nearly 29% attributable to the legal drug of alcohol.

There is also a relationship among alcohol, drugs and violence. A joint Canada-U.S. study, DAVI or drugs, alcohol and violence international, provides important evidence about the relationship in Montreal and Toronto. Over 900 male students from grades 9 to 12, who were school dropouts and young offenders, were interviewed. Almost 19% of boys in Montreal and 15% in Toronto had brought a gun to school.

This relationship between drugs and violence continues beyond school days. Gangs employ violence to control and expand drug distribution activities and use violence to ensure that members adhere to the gangs' codes of conduct. In November 2004 a 19-year-old gang member from Fort Worth, Texas, was sentenced to 30 years in prison for fatally shooting a childhood friend who wanted to leave the gang.

• (1320)

Increased gang violence in Vancouver and other Canadian cities has direct ties to the drug cartel wars of Mexico where more than 7,000 have died in the last two years. Almost all cocaine comes via Mexico, the centre for South American producers. Canadian-based organized crime groups buy the drug either directly from the cartels in Mexico or from middlemen in American cities. When the supply of cocaine is affected by crackdowns in Mexico or the United States, the price goes up. There is competition for the remaining drugs in Canada.

A 2009 Angus Reid Strategies poll shows that Canadians are supportive of introducing tougher laws to deal with an apparent surge in gang activity. The survey showed that 45% of Canadian adults say that their country has a national gang problem. At least 76% support tougher legislation to deal with gang-related crime and

76% support a proposal to send marijuana growers and dealers to jail.

This is the important part. However, almost 90% endorse a national drug prevention campaign. Only 50% support legalizing marijuana and 51% want to keep harm reduction programs such as supervised injection sights.

Even tolerant Holland is considering stiffer drug penalties to reduce gang violence. The nation's 700-plus coffee shops where customers can buy cannabis or hashish without fear of arrest attract tourists who pay more than \$300 million Euros in tax annually. Police believe some coffee shops are fronts for organized crime. The worst of the violence, however, takes place in the cannabis growing industry where gangs prey on novices who think they can make easy money by growing marijuana. Since there is so much money and violence involved, Holland's police commissioner responsible for cannabis calls it a danger to Dutch society.

I believe that strong drug laws are part of what is needed to fight gang violence, but crime prevention initiatives and the proper funding of law enforcement agencies are equally important and this is where the government is failing Canadians. I believe that we need to carefully look at the evidence of what has and has not worked in the United States as well as other jurisdictions. We must ask ourselves whether we want to turn Canadian correctional institutions and penitentiaries into U.S.-style inmate warehouses and whether longer sentences will have the desired deterrent effect, or whether those given longer sentences will be more likely to go back to crime.

A strength of the bill is the initiative with regard to drug treatment courts. They are part of the solution. Evaluations consistently show that drug treatment courts effectively reduce recidivism and underlying addiction problems of offenders. The courts provide closer comprehensive supervision and more frequent drug testing and monitoring during the program than other forms of community supervision. It costs about \$8,000 per year to provide substance abuse treatment to a Toronto drug treatment court participant and \$45,000 to incarcerate the same individual for one year.

Canada has always implemented and must continue to implement a national strategy that aims to strike a balance between reducing the black market supply of illegal drugs and reducing demand. The first component emphasizes the fight against drug crimes by the criminal justice system while the second focuses on prevention and public awareness of the negative effects of drug use.

*Government Orders*

In closing, I want to draw attention to the fact that youth at risk of joining gangs tend to be from groups, that suffer from the greatest inequality, who are using drugs and who are already involved in serious crime. Bill C-15 addresses deterrence and punishment. When might we see legislation targeted at prevention? Public Safety Canada itself recommends targeted, integrated and evidence-based community solutions to reduce and prevent the proliferation of gangs, drugs and gun violence.

• (1325)

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, I thank my colleague for her intervention and observations about other jurisdictions.

I do want to point out that this bill seems to take a certain approach that has been taken in other jurisdictions, which, quite frankly, failed, and that is the notion that this is, arguably, in many respects, a health issue. When we look at the increase in addictions, be they with alcohol or illicit drugs, we have learned a lot in terms of what should be done and the mandatory minimum sentences that are prescribed in this bill do not do anything to deal with that.

When we are talking about selling illicit drugs, there is a supply and there is a demand. The demand is actually an issue that has its inception in terms of the whole area of consumption of illicit drugs and addictions.

If we are looking at these mandatory minimums in other jurisdictions, they seem to have failed, because as soon as someone is put in jail, someone else fills that spot. The demand is what is driving it. Should we not be looking at a more comprehensive approach when it comes to not only the sale of illicit drugs but the consumption and the whole area of fueling the economy of the drug sales that have—

**The Deputy Speaker:** The hon. member for Etobicoke North.

**Ms. Kirsty Duncan:** Mr. Speaker, I absolutely agree that looking at the drug issue requires a comprehensive approach. We do need a national prevention campaign. Addiction is an illness and we need to provide treatment for those who are suffering with this addiction.

Part of this needs to involve the legal system as well. We do require penalties for trafficking and for grow ops. I am really pleased to see in the bill that we do have drug treatment courts. In the United States, only 16% of 17,000 drug court graduates nationwide have been rearrested and charged with a felony offence.

[*Translation*]

**Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I would like to thank my colleague for her fine speech to the House. I would like to make a brief comment and then ask her a question.

For 20 years, we have waged war on smoking because it is bad for people's health. A great deal of legislation has been passed in various provinces. People can be fined for smoking in public places. In New Brunswick, it is illegal to smoke in a car in which there are young children.

Even though a law may be coercive, the amendments proposed in Bill C-15 will not just put traffickers in prison. They will also send a

signal to young people in particular that smoking marijuana is harmful. It creates dependence and can be hazardous to health.

I ask my colleague whether it would not be useful to conduct exactly the same advertising campaign to prevent young people from smoking marijuana sold by traffickers?

• (1330)

[*English*]

**Ms. Kirsty Duncan:** Mr. Speaker, I absolutely agree. In a study recently published where Canada was one of four countries examined, the study showed that many Canadians did not know the health effects of using tobacco. Tobacco contains over 4,000 chemicals and 60 of these are known carcinogens. Canadians did not know that tobacco can affect their heart, cause cancer, breast cancer or cervical cancer.

The member raises an important point. In looking at drugs, we do need a national campaign that focuses on the health impacts of using cannabis or other drugs and how we can best prevent their use.

[*Translation*]

**Mr. Réal Ménard (Hochelaga, BQ):** Mr. Speaker, it is my pleasure to take the floor on Bill C-15, which we have studied in committee. Even though my natural inclination might be to comment on the political news of the day, I shall refrain from doing so.

I sat on the committee formed early in the year 2000, when Conservative member Randy White was in this House and tabled a motion to allow us as parliamentarians to study the whole issue of the use of drugs for non-medical purposes. Naturally, in the course of this study, we spent many months hearing witnesses. This was going on at about the same time as the study being conducted in the other chamber, led by Senator Nolin, on the whole issue of the legalization of cannabis. Something became obvious to us, and this in a way is the problem with the Conservative government. Of course we do not advocate the use of drugs. I myself have totally abstained from them. I am perfectly aware that drugs can be extremely harmful in people's lives. Certain drugs can even lead to an escalation phenomenon, that is, to dependence on and increased need for them. However, in this Bill C-15 which is before us, as in many of the Conservative government's bills, we find this worrying inability to qualitatively distinguish between different phenomena.

*Government Orders*

We in the Bloc Québécois have no problem, for example, going after the traffickers who organize and maintain large-scale networks, who are involved in the exporting of opium or other types of drugs. If there is one party that has long been working against organized crime, it is indeed the Bloc. I myself was the first member to table an anti-gang bill, in 1997. My former colleague from Charlesbourg, Richard Marceau, an excellent parliamentarian, succeeded in convincing the government to remove the \$1,000 note from circulation, it being agreed that this note made things easier for organized crime. This same colleague from Charlesbourg also succeeded, in the last days of the Martin government, in persuading the House of Commons to pass a bill to reverse the burden of proof for property obtained by crime.

The problem with Bill C-15 is not that it targets traffickers, or that it provides for longer maximum sentences for people who engage in the trafficking and exporting of drugs that do such great harm in communities. It is that it is incapable of distinguishing between different things.

Certain provisions of the bill are extremely disturbing. First, something we have said over and over again. It was mentioned by my colleague from Abitibi, an eminent member of the bar and a criminal lawyer for 30 years. In committee we asked for studies or scientific material showing that incorporating minimum sentences in the Criminal Code will be a deterrent. This is a philosophy of this government. In all the bills, the clauses proposed are accompanied by minimum sentences, ignoring the fact that this does not act as a deterrent. On the contrary, when there is plea bargaining, this encourages people to plead not guilty. As a result prosecutors will prefer to avoid charges that carry minimum sentences.

More troubling still, it is certainly not with a prohibitionist drug strategy that we are going to succeed against organized crime and manage to deter people.

• (1335)

We had people appearing before us in committee from Washington and New York who had been tempted by mandatory minimum sentences but had unfortunately discovered that the states which adopted them were not the most successful at reducing drug use.

The bill itself does not distinguish between big traffickers from the underworld and occasional users. We know, of course, that it is best for people not to use drugs.

That being said, though, young people will not refrain from doing so just because the Criminal Code says that they should not. Would we not be better equipped as a society if we had prevention campaigns, if we encouraged addiction courts, and if we worked together with community groups involved in harm reduction?

What is worrisome about the bill is, first of all, the definition of trafficking. Take an arbitrary example. I am at a party with friends and someone hands me a joint of marijuana. In the eyes of the law, just passing it along is considered trafficking. A young person at an end of term party for students in political science could be charged. I said political science but it could be students at the École des hautes études commerciales, I do not mean to discriminate. We are

incapable, therefore, of distinguishing small users from big traffickers.

We need to take a close look at the bill. A person can engage in trafficking, but that does not necessarily mean loading three containers in the port of Montreal. A recreational situation where people hand joints around could also result in a trafficking charge.

We need to look at the gradations in the penalties prescribed. The person is guilty of an indictable offence and liable to imprisonment for a term of not more than 14 years. It is at the discretion of the judge. This is not a minimum sentence, and the maximum sentences are never a problem for us. It is up to the judge to assess the evidence, the circumstances and the context in which the offence was committed.

We are told as well that the prison term may be no less than—so it is a minimum penalty—six months when the offence is committed for the purpose of trafficking and there are fewer than 201 plants involved. A young person from the University of Ottawa sitting outside and offering a joint to one of his friends is liable to a sentence of six months.

I repeat that the Bloc does not encourage the use of any drug whatsoever. It is not part of the Canada food guide and we do not think it essential for self discovery or that it is a good habit. However, socially, will the problem of drug use be resolved with minimum sentences of six months to two years? This is what we tried to explain to the minister.

Individuals with considerable authority, such as criminologist Line Beauchesne of the University of Ottawa, and others, have studied the issue of drug use. We have difficulty with the fact that there are minimum penalties for trafficking and with the increments of these minimum penalties given the scope of the problem. We do not believe that, socially, this is the best way to discourage young people from using drugs.

This is one of the reasons we will vote against the bill.

• (1340)

[English]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I want to congratulate the member for his address. It seems to me that the government should be taking steps to break the mafia and the gangs that control the drug trade in the country. It is the money that drives this whole process.

The government is very quick to be bring in feel good bills to try to advertise to the public that it is doing something when it really is not. It should be dealing with the actual gangs and the criminal element behind the problem.

The previous Bloc member indicated that the Bloc was in favour of people, when they were sentenced to prison for say 36 months, staying in prison the full 36 months. It is only through this process that people can take advantage of the rehabilitation programs in the prison. If we keep letting people out halfway through their sentences, they are never going to finish their rehabilitation programs. I gathered he was speaking to that.

Does the hon. member have any further comments about that?

*Government Orders*

[*Translation*]

**Mr. Réal Ménard:** Mr. Speaker, I thank my colleague for his question. The member speaking before me was, I believe, the deputy justice and native affairs critic, the member for Abitibi—Témiscamingue.

Unfortunately, I did not listen to his speech, but I believe he pointed out that the abolition of the one sixth of the sentence rule is part of the Bloc's platform, as adopted by the caucus in 2007. Thus, when there is a trial and the rules of justice are applied fairly and the sentence is known and underway, we do not believe that there should be the possibility of release when a sixth of the sentence has been served.

We believe in rehabilitation, we believe in two-thirds of the sentence and we believe that mechanisms must be in place for parole with follow-up in the community. However, we think it somewhat early to permit release when a sixth of the sentence has been served—especially since, when we examined this matter in the Bloc, we understood that this sixth of the sentence is administered sort of automatically. This adds to our concern, and it is certainly what the member for Abitibi—Témiscamingue wanted to share with the House in his speech.

[*English*]

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, I am pleased to have this opportunity to speak in the report stage debate on an act to amend the Controlled Drugs and Substances Act, which pertains mainly to the establishment of mandatory minimum sentences related to drug trafficking and the drug trade.

We are debating a specific motion that was moved by my colleague from Vancouver East, which would delete clause 3 from the bill. This section deals with nine mandatory minimums, eight of which deal specifically with marijuana.

It is pretty important that we talk about this because many Canadians have great difficulty with our existing marijuana laws. It has been an area where there have been many suggestions over many years about necessary changes to our laws, especially with regard to marijuana. Going into the area of mandatory minimum sentences around marijuana is something with which many people will have difficulty.

One aspect that I am particularly concerned about is the effect this law, should it pass and should this amendment fail, will have on compassion clubs that provide medical marijuana to thousands of Canadians. When other drugs, and more dangerous drugs, have been ineffective in treating their medical condition, the use of marijuana in various forms has been successful and extremely helpful to them.

I have visited the Green Cross Society in Vancouver and I have had friends who have dealt with the Compassion Club in Vancouver. I know of many instances where the use of marijuana has been extremely important to the successful treatment of a range of diseases. It has allowed people to get on with their lives in ways that other therapies and other drug therapies have been unsuccessful or more dangerous for them. It is very concerning to me how this law will complicate the services provided by compassion clubs.

What I find most disconcerting in this debate, however, is the inability of the government to provide any evidence whatsoever that

mandatory minimum sentences will have the kinds of effects that it says they will in controlling the drug trade, for instance. The Conservatives have been asked numerous times to provide one study, any evidence of that.

When the minister appeared before the standing committee reviewing the legislation, the member for Vancouver East asked the minister this question and she received no response whatsoever. In fact, the member for Vancouver East asked the Minister of Justice no less than six times to provide evidence that mandatory minimum sentences were effective in dealing with drug crimes, that they actually worked, that they would have any of the benefits that he proposed. Six times he did not answer the question.

He did say that Canadians supported this approach, but he offered not one shred of evidence that mandatory minimums would have any effect on the drug crime situation in Canada. Probably he was unable to do that because such evidence just does not exist.

Why is the government hell bent on following this course of action when there is no evidence that what it has proposed will actually address the concerns of Canadians in this regard? It is unfortunate that we are going down this road when we cannot prove there is any efficacy whatsoever that the measures will have any effect on the situation at all.

On the other side of the argument about the ineffectiveness of this kind of regime, there is scads of evidence. In fact, at committee, Craig Jones of the John Howard Society talked about 35 peer reviewed published studies that showed mandatory minimum sentences had no effect and were completely ineffective in dealing with drug crime. He tabled 17 of those studies.

There is a whole body of evidence that shows this is the wrong approach in dealing with drug crimes. It is completely ineffective to deal with drug crime.

We have had many examples. We have seen the example of the United States, which got heavily into mandatory minimum sentences around drug crimes. The Rockefeller laws, as they are called, were introduced in New York state in the seventies. They have had exactly the opposite effect and have been completely ineffective in dealing with drug crime.

● (1345)

Other states moved away from mandatory minimum sentences because all they did was fill their prisons and they had no effect on the social conditions and on crime statistics. It has been tried in many jurisdictions and it has been a failure.

It is inconceivable that the Conservatives would go down this road at this point when there is such a body of evidence to the contrary of the effectiveness of this kind of legislation. As I said, the government and the minister have not provided any evidence whatsoever that this is an appropriate approach to deal with drug crime in Canada.

*Government Orders*

There are other options. Other countries have taken different approaches. One clear example is Portugal. In 2001 Portugal, in a nationwide law, decriminalized all drugs, including cocaine and heroin. It was a decriminalization, not a legalization regime. Portugal remains the only European Union state with a law that explicitly declares drugs to be decriminalized.

Recently a study was done by Glenn Greenwald, for the Cato Institute, on Portugal's drug laws. I would recommend it to all members and to anyone else listening in on this debate to see exactly what has happened in Portugal.

One of the things that Mr. Greenwald does in his recent study is analyze the empirical data around this change. This is what he had to say about Portugal:

—the...empirical data...indicate that decriminalization has had no adverse effect on drug usage rates in Portugal, which, in numerous categories, are now among the lowest in the EU, particularly when compared with states with stringent criminalization regimes. Although postdecriminalization usage rates have remained roughly the same or even decreased slightly when compared with other EU states, drug-related pathologies—such as sexually transmitted diseases and deaths due to drug usage—have decreased dramatically. Drug policy experts attribute those positive trends to the enhanced ability of the Portuguese government to offer treatment programs to its citizens—enhancements made possible, for numerous reasons, by decriminalization.

Here is a different approach of decriminalization to drug laws, a far different approach than the Conservative government is taking in Canada, which has had success. The empirical data has shown this to be a successful approach to all the goals we seek for Canada such as decreasing drug use, crime, deaths from drug use and sexually-transmitted diseases, all kinds of positive value out of taking this kind of approach.

Others have done the analysis. They have compared alcohol prohibition to our drug prohibition policies. They have shown that the alcohol prohibition, which we know to have been a huge failure in North America, had all the same problems that drug prohibition has today. The measure that we are debating today falls clearly into a prohibition category of legal approaches.

We need to take that history seriously. We need a government that is willing to look at that history, to analyze it and act in light of what we already know in terms of how these kinds of policies affect drug policy and drug crime.

We know we will not change drug crime and gang crime in Canada unless we go to the profitability of the drug trade in Canada. There is nothing in the legislation that addresses why people make so much money selling drugs in Canada. There is nothing in it that says that somebody we put away for a minimum mandatory sentence will not return to the drug trade after that. In fact, a lot of them do return to the drug trade afterward, with a better network and with more skills from having been in prison.

However, the other reality is the person we send to prison on a drug trafficking charge is replaced almost immediately by another person who is willing to be involved because the profitability is so high. Until we grapple with how we address that issue, we are not going to make progress on dealing with drug crime in our society and dealing with the other issues that stem from it.

The government can show not one scrap of evidence that the approach to using mandatory minimum sentences is going to improve our society and is going to meet any of its goals, let alone the goals of Canadians, with regard to drug crime. That is the key reason I will not be supporting the legislation.

● (1350)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I know the member for Burnaby—Douglas is very familiar with the circumstances of the bill.

Many of the young people in some of the aboriginal communities who leave their reserves to go to the big cities like Vancouver often drift into an unhealthy and unsafe lifestyle due to the lack of support when they are in those cities. Since we do not have programs in place to support these young people, some of them end up contracting HIV/AIDS as a result of drug use or other lifestyle issues and then go back to their home communities.

I wonder if the member could comment on what he sees as being important in terms of treatment for young people who get involved in the drug trade and then end up having to go back to their communities.

● (1355)

**Mr. Bill Siksay:** Mr. Speaker, we need a multi-pronged approach to dealing with drug issues in our society. In Vancouver we often talk about the four pillar approach to drug issues: prevention, treatment, enforcement and harm reduction. Sadly, however, all we have seen from the government is emphasis on the enforcement pillar.

Any stool that has four legs and one is bigger than the other will only fall over and be unsuccessful as a stool. Therefore, this four pillar approach requires equal treatment of all of the pillars.

We know that prevention and treatment are absolutely crucial to having an effective drug policy. Unfortunately, when an addict in Canada seeks treatment, more often than not they are told that they need to go on a waiting list before treatment is available so they put off that treatment. We know that is a loss right at that very moment. We know that every time we put someone on delay after they have made a decision to go into treatment we have lost the opportunity to deal with that addiction.

We also know that when they get out of treatment they need specialized support and specialized housing. However, if we send them back into the same circumstances they left when they were addicted, then they will have lost all the benefits of their treatment. We need to ensure we have a broadly based treatment program and one that extends beyond the actual drug treatment process itself to ensure success.

We also need to ensure we stress harm reduction. Unfortunately, despite the many studies that have shown harm reduction to be an effective tool in dealing with drug issues, the government has often failed to appreciate that evidence and has not given great support to harm reduction measures.

However, in Vancouver and in Burnaby we know the importance of harm reduction. Places like the safe injection site in Vancouver are very effective.

*Statements by Members*

**Mr. Bruce Stanton (Simcoe North, CPC):** Mr. Speaker, I have just a brief question. I was interested in the member's comments this afternoon.

The member certainly recognized the fact that this bill does not contain all the measures that need to take place to improve the quality of life for people who find themselves in this position.

Would the approach of decriminalization not create a situation where we are softening rules around what is a threshold drug and, by so doing, would it not expand the use of drugs and require more than treatment and intervention to improve?

**Mr. Bill Siksay:** No, Mr. Speaker. If the hon. member chose to look at some of the evidence and to look at the study from Portugal, he would see evidence that that is just not the case. In the analysis of Portugal's experience, which has gone on for eight years, we see that is not the case. Having decriminalized all drugs, not just marijuana and so-called softer drugs, but all drugs, including cocaine and heroin, Portugal has seen very positive outcomes from that step.

The government should be looking at and examining that kind of evidence. Rather than introducing measures that have no evidentiary support, it should be looking at measures that can be proven to be successful in reaching the kinds of goals that all Canadians want to reach around drug use, drug policy and drug crime. We do not have that approach with this legislation, which makes it very flawed legislation and legislation that will not improve the situation here in Canada, and that is why New Democrats are not supporting this legislation.

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## STATEMENTS BY MEMBERS

[English]

### ST. PAUL, ALBERTA

**Mr. Brian Storseth (Westlock—St. Paul, CPC):** Mr. Speaker, this year marks the 100th anniversary of the town of St. Paul. This is a town and community that I am tremendously proud to call my home. Communities like St. Paul continue to be the backbone of rural Canada.

Whether it was the humble roots laid down by the original French and Métis settlers, the first generation Ukrainian immigrants who braved the dangerous trip west in the hopes of a better future, or the Cree Nation that inhabited the area, St. Paul des Métis comes from a rich and diverse history. I can assure the House that small towns and rural areas like St. Paul will always remain front and centre in our government's policies.

One hundred years of history has built this town, given it a unique identity and made it a treasured home to thousands. Those who call St. Paul their home and who have grown up and raised their families there are proud to have done so.

I know that future generations will help build another 100 years of history. As we begin our celebrations, let us all look to a bright future for the town of St. Paul.

Once again, I congratulate the people of St. Paul and I hope they enjoy the celebrations.

● (1400)

### NATIONAL CERTIFICATION EXAM AWARD

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I would like to take this opportunity to congratulate one of my constituents, Craig Spencer.

Craig was recently honoured by the Canadian Association of Speech-Language Pathologists and Audiologists with the prestigious National Certification Exam Award.

A recent graduate of the University of British Columbia, Craig now works in Toronto and greatly enjoys working with the older adult population to help develop and deliver effective communication solutions.

These highly trained individuals assist in the treatment and assessment of communication disorders. Whether it is working with a hard of hearing child or a person recovering from a stroke, these professionals work tirelessly to help.

On behalf of the House of Commons, I would like to extend sincere thanks to Craig and all health care professionals in the field as we celebrate Speech and Hearing Awareness Month.

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[Translation]

### HUNGER AWARENESS DAY

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, June 2 is National Hunger Awareness Day. As the unfortunate result of the global economic crisis and the Conservative government's poor handling of it, Quebec's and Canada's food banks are no longer able to keep up with the requests for help from people who are becoming poorer and poorer.

The Bloc Québécois wants to pay tribute to the staff and volunteers of community organizations such as the food banks. We know how much they are involved in providing front line services to those affected by the recession.

In order to support them in their undertakings, in our second recovery plan, the Bloc Québécois is calling upon the government to place \$300 million in trust to enable Quebec, among other things, to help the innocent victims of this financial crisis. In these difficult times, we must ensure the survival of those who are bearing the brunt of financial practices that are disconnected from reality. In the spirit of justice, we must share the wealth and support communities as they mobilize their efforts in order to meet people's basic need to have enough to eat.

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[English]

### PENSION PLANS

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Conservative government has completely abandoned the forestry communities of the north. It should not have to take a demonstration by thousands of forestry workers to get the government's attention.

Now take the workers from Abitibi. Not only are they fighting for their jobs and their communities, they are fighting for the pensions they have paid into for decades.

*Statements by Members*

Now to show the absolute indifference of the government, compare it to the way it stood up day after day in the House of Commons to defend the CPP mandarins who skimmed off millions of dollars in bonuses while running the Canada pension plan into the ground.

The difference is very clear. It is a question of which side one is on. The Cadillac Conservative government is on the side of the fat cats. It is not representing the workers in Iroquois Falls, Thunder Bay or Kenora.

The New Democratic Party will continue to fight for forestry workers and protect the pensions that they have paid into.

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**ENVIRONTHON TEAM**

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, as the proud member of Parliament for Stormont—Dundas—South Glengarry, I am thrilled to stand in the House today to congratulate a group of students from my local community.

Today, the North Dundas District High School's students council and environthon team from Chesterville have joined me on the Hill for the day.

Just recently, the school's environthon team won its local challenge and then placed second in the Ontario provincial finals in southwestern Ontario, making a strong showing and filling their school full of pride and school spirit.

I am so proud of these students and our community is fortunate to have youth like them representing us.

A special thanks also goes to their mentors and coaches, including Mike Deighton, who joins us here today as well.

I congratulate Mike and these great students and I wish them all the best in their journeys ahead.

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**INDIA**

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Mr. Speaker, this week across the country, events are planned to call attention to the 25th anniversary of a difficult and dark chapter in India's history when a military assault was launched on the holiest Sikh shrine, the Golden Temple in Amritsar.

We can take this opportunity to reflect upon how, in the development of any country, democracy and human rights are always a work in progress in the development of any country and difficult challenges arise when ideals around nationhood collide, even in Canada, as we know. We can also affirm that dialogue is essential.

We can also affirm that dialogue is essential. Here in Canada, we are very fortunate and proud that we have enshrined freedom of speech within our Constitution.

Through a dialogue, there is always hope for real resolutions, for peace and a better future for all.

●(1405)

**CHILDREN'S BRIDGE FOUNDATION**

**Mr. Ed Holder (London West, CPC):** Mr. Speaker, the Parliament Hill fundraiser for the Children's Bridge Foundation, in association with Embrace-an-Orphanage, is done.

Parliamentarians were challenged to a goat-selling contest and last Wednesday we gathered to see which political party accumulated the largest herd.

The keynote speaker was my good friend, the member for London North Centre. His passion for Africa was evident. He brought a sensitive, personal message to a very special evening.

As members know, the party selling the most goats was honoured with naming the ceremonial goat. I am pleased to advise that our Conservative Party, under the dynamic direction of our House leader and his amazing team, earned the privilege of naming rights. We chose the name Hope.

This name embodies the emotions of the evening. All members from all parties have hope for a better life for these kids at the Nazareth Children's Center in Ethiopia: hope for providing nutrition and education programming for 750 children who will be served; and hope in knowing that through members' efforts they helped raised over \$100,000 to make that difference.

Finally, let me thank all members of the House for giving hope to these children.

\* \* \*

[*Translation*]

**CHILDREN IN DEVELOPING COUNTRIES**

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, as part of their social awareness course last year, some students of Ozias Leduc secondary school in Mont-Saint-Hilaire in my riding decided to raise the awareness of their fellow students about the exploitation of children in developing countries, especially children in forced labour.

To do so, they collected hundreds of clothing labels to check country of origin. Most items turned out to have been made in developing countries.

I accompanied two of those students, David Legrand and Nicolas Boily-Sauvé, to the Hill today to hand these labels over to the Prime Minister and to share with him their objections to imported clothing made by children.

This is one of the reasons the Bloc Québécois is opposed to the free trade agreements with Peru and Colombia, since they contain no measures to make businesses accountable.

It is regrettable as well that the Liberals are backing the Conservatives on this and plan to support the two agreements.

*Statements by Members*

[English]

**NATIONAL ACCESS AWARENESS WEEK**

**Mr. Phil McColeman (Brant, CPC):** Mr. Speaker, this week is National Access Awareness Week.

As the parent of a 22-year-old, intellectually disabled son, this week reminds us all of the very real challenges faced by persons with disabilities and the importance of improving access so that these very special people can fully participate in all aspects of Canadian life.

Our government supports this goal and is taking important steps to help. Some of these include providing an additional \$75 million for the construction of new housing units for people with disabilities and introducing the registered disability savings plan and the enabling accessibility fund. These investments are working to help people with disabilities lead more active lives so they can realize their true potential.

During this week, I encourage all Canadians to do their share to help persons with disabilities get the access they need to more fully participate in all aspects of Canadian life.

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**MOTHERS AND MIDWIVES CAMPAIGN**

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, this morning, I was honoured to attend Senator Keon's breakfast to address the appalling lack of progress on the fifth millennium development goal: improving maternal health.

The Mothers and Midwives CAMpaign has brought together some of Canada's finest, including Bridget Lynch, president of the International Confederation of Midwives; Maureen McTeer, Canadian chair of the White Ribbon Alliance; Dr. Andre Lalonde, executive vice-president of the SOGC; and, Dorothy Shaw, president of the International Federation of Gynecology and Obstetrics.

We were fortunate to be joined, via video conference, by British undersecretary of state, the truly inspiring Ivan Lewis. Together, we agreed on the need to focus on MDG 5 at the upcoming G8. One of the best indicators of health systems is maternal mortality. Shockingly, 500,000 women die every year and one every minute.

In Sierra Leone, the risk of a woman dying as the result of a pregnancy is one in eight. In Canada, we need to help our aboriginal people. We need to do this together and we need to do it now.

\* \* \*

● (1410)

**AUTOMOTIVE INDUSTRY**

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, Liberal hypocrisy continues. On his blog, the Liberal leader's senior adviser disagreed with the government's decision to protect Canadian auto jobs. He wrote:

...sell off entities which actually make you money, and then buy shares in companies which are total, unmitigated disasters. Could someone remind me, again, why Canada doesn't need an election right now?

Do Ontario Liberals agree with their leader's top strategist that providing support to GM and Chrysler is a waste and a total

unmitigated disaster? Does the Liberal leader agree with his top strategist?

This decision is the right one for my riding, and Oshawa is grateful for the action the Conservative government is taking to protect the future of Canada's auto sector. This shows again that the Liberals are out of touch with the economy and how to protect Canadian jobs during these tough economic times.

When in B.C., the Liberal leader criticized the auto sector, something he dared not do in Ontario. Now, his most trusted campaign strategist is letting Ontarians know what his leader truly thinks of the auto industry. The Liberal leader should come clean. Ontario's auto industry needs action, not lip service.

\* \* \*

**FORESTRY INDUSTRY**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, today thousands of people gathered in Ottawa to protest the government's lack of action to protect forestry jobs.

CEP is seeking loan guarantees for forestry companies so they can continue to operate during this financial downturn, not a bailout but a loan guarantee, money that will be paid back to Canadians. CEP is also asking for protection for retirees' pensions. Too many workers are seeing their pensions disappear when companies go under.

However, the issue that has affected my riding the most is the tax credits that U.S. forestry companies receive that make it more affordable to buy logs in B.C. and ship them to the U.S. for processing. It is a blow every time a truck loaded with logs leaves my riding, which will keep mills open and jobs healthy in the U.S. but not in the communities where the logs are harvested.

Finally, it is the workers of today that need help from the government. Our industry has been in transition for years and many workers have exhausted their severance and EI. Workers and their families deserve better. That is why the NDP political staff and CEP Local 232 stand together with their brothers and sisters to demand action from the government.

\* \* \*

**COALITION AGAINST ANTI-SEMITISM**

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Speaker, I rise today to announce the launch of the Canadian parliamentary coalition against anti-Semitism.

Canada is founded upon a shared set of values and anti-Semitism is an affront to these values. As such, anti-Semitism is an attack upon the fabric of our tolerant, free, open and democratic society. It is an attack on all Canadians, Jews and non-Jews alike. It is the oldest and most persistent form of hatred and the template upon which so many other forms of hatred are based.

This announcement is intended to signal that in this country legislators of all parties are deeply concerned about what seems to be a rising international tide of renewed anti-Semitism on a scale not seen before in my lifetime.

Today we begin a nationwide inquiry into anti-Semitism. I invite all members of Parliament to support this initiative and the struggle against the oldest and most enduring form of hatred.

\* \* \*

[Translation]

#### FORESTRY INDUSTRY

**Mr. Robert Vincent (Shefford, BQ):** Mr. Speaker, today, thousands of forestry workers from Quebec and Canada are in Ottawa to ask the Conservative government to accept its responsibility and help the industry, which is in crisis.

Workers from several regions have come here to tell us that they, along with everyone else, are tired of dealing with the repercussions of this crisis. Forestry workers and communities feel that the government does not respect them, and they are right, because never before has a government shown such contempt for an industrial sector. It certainly does not harbour such scorn for the auto sector.

Forestry workers have every reason to be angry. They deserve a real plan to help their industry. Conservative members, particularly the two ministers from the Saguenay—Lac-St-Jean region who were elected because they promised to save the industry, have been dragging their feet for too long. People will not forget.

\* \* \*

[English]

#### HUNGER AWARENESS DAY

**Mr. Anthony Rota (Nipissing—Timiskaming, Lib.):** Mr. Speaker, I rise today to highlight National Hunger Awareness Day.

[Translation]

National Hunger Awareness Day, co-ordinated by Food Banks Canada, is a call to Canadians to take action to ensure that we no longer need food banks in this country. Every month, food banks help more than 700,000 Canadians, 37% of them children. Seniors, the disabled and even people working full time who are unable to make ends meet are among those who turn to food banks.

●(1415)

[English]

This year in my riding there are a series of activities under way to bring awareness to hunger in our communities. In particular, I would like to recognize workers involved with the Cobalt, Coleman, Latchford and Area Food Bank for its excellent work in promoting National Hunger Awareness Day.

#### Oral Questions

I would ask all hon. members and Canadians from coast to coast to coast to join me in recognizing the importance of National Hunger Awareness Day and strive toward a day when no Canadian, young or old, has to go hungry.

\* \* \*

[Translation]

#### LEADER OF THE LIBERAL PARTY OF CANADA

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, in a moment of inspiration, will the Leader of the Opposition write a book about how he will increase taxes given that he is not answering the question?

Has it been forgotten that, in this country's recent history, the Liberals' greatest expertise has been in increasing taxes? Or is this Liberal leader even more intent than his predecessors on increasing taxes?

Canadians have not forgotten that Liberals are taxers and spenders who do not look after taxpayers' hard-earned money. They like to help out their pals and want to control everything from Ottawa. They want power at all costs.

My fellow citizens are worried because the Liberal leader is not telling us who will be paying for these new taxes.

At least weather vanes only point in one direction at a time.

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## ORAL QUESTIONS

[English]

#### MEDICAL ISOTOPES

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, every day in Canada 5,000 heart and cancer patients depend on isotopes produced at Chalk River, but by this week's end Ontario's isotope supply may shrink to 10% of need. There are isotope shortages in British Columbia and Saskatchewan.

Chalk River will be shut down, perhaps indefinitely. The government has known about this problem since November 2007. The question is why does the government pretend it has a plan when it does not have any isotopes?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as the House knows, the shutdown of the reactor at Chalk River has been unexpected.

That said, our government and the company have been working with isotope suppliers around the world to attempt to manage this situation. Of course we are also in communication with the medical community on how best to address this.

The fact of the matter is that the reactor had to be shut down for safety reasons, and those safety reasons must be paramount.

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, the government is simply trying to buy time here.

*Oral Questions*

The truth is there are no alternative supplies of isotopes, no adequate alternative supply of isotopes, just as there was not when Chalk River was shut down 18 months ago. The world's two major reactors in the Netherlands and South Africa do not have the capacity to make up the shortfall, and both will be shut down for maintenance next month.

When will the government get up and tell us the truth and come up with a plan to deal with its own incompetence?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this is exactly why a reactor should not be shut down without a reason, but in this case, there are serious safety concerns.

As I have said, when other reactors have been shut down around the world, Canada has increased its production to help manage that situation. We are working with our international partners and working with the medical community to manage this particular problem. There will be challenges, but steps are being taken to deal with those challenges.

**Mr. Michael Ignatieff (Leader of the Opposition, Lib.):** Mr. Speaker, the point is that international suppliers cannot increase production. That is the core of the problem.

[*Translation*]

The government has known for 18 months that there are problems at Chalk River. It knows that there are no alternative sources of medical isotopes.

When will the government tell patients the truth, which is that there are no more isotopes?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we are clear on the facts. There is a huge challenge here, and that is why a reactor is not shut down without a reason. In this case, that reason has to do with public safety.

As we have done in the past, we are working with the other isotope producers and the medical community to manage this situation in the best way possible.

\* \* \*

**FORESTRY INDUSTRY**

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, thousands of employees and employers in the forestry sector are currently demonstrating their dissatisfaction with the Conservatives' laissez-faire attitude, and for good reason. We support them.

Plants are closing one after the other all over the country. It is happening in Quebec, Ontario, British Columbia and New Brunswick. Companies like AbitibiBowater and Fraser Papers are in danger. If the industry does not get loan guarantees, it will disappear.

The Prime Minister must follow through on the industry's demands. Otherwise, can he explain why he is willing to let our forestry industry die without loan guarantees?

• (1420)

[*English*]

**Hon. Lisa Raitt (Minister of Natural Resources, CPC):** Mr. Speaker, the fact is that this government undertook an unprecedented level of consultation with the forest industry, with the workers and with the communities in developing our economic action plan.

The result was more focus on marketing and innovation, as the forest industry had indicated it would like to have. We have delivered on that. We have delivered to the communities in terms of help for those communities that are most in strife because of the downturn in the economy.

Not only that, we have put \$7.8 billion into programs within the economic action plan that will spur on the domestic supply.

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, the fact is that in two years over 55,000 forestry workers have lost their jobs. Dozens of mills in B.C., Quebec, Ontario, New Brunswick and elsewhere have closed, many of them permanently.

The workers with jobs are left to fear for their security, pension and future. There is no plan to offset lucrative foreign tax credits for black liquor, no plan to help communities affected by mill closures, no plan for pensions and no loan guarantees to protect what is left of our industry.

The Conservatives just do not care about the national forest industry, the workers or their families. Why?

**Hon. Lisa Raitt (Minister of Natural Resources, CPC):** Mr. Speaker, the more important list is the list of accomplishments of this Conservative government: \$1 billion in a community adjustment fund to help forestry communities; \$1 billion in a community development fund to help forestry communities; \$170 million to help the forestry sector with innovation and marketing; \$35 million for renewable energy technologies such as biomass and biofuels; more money in terms of helping with respect to earthquake rebuilding projects; \$127.5 million for forest industry long-term competitiveness initiatives; \$8.3 billion in Canadian skills—

**The Speaker:** The hon. member for Laurier—Sainte-Marie.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the federal government gave the auto sector \$10 billion in aid, which adds up to over \$650,000 per job. Nobody knows the details of the aid package, or even whether any guarantees were required. In contrast, the government gave just \$270 million to the forestry industry, which is the equivalent of \$1,000 per job. That is way out of proportion.

How can the government give that much money per job to the auto industry, which is concentrated in Ontario, and a mere pittance to the forestry industry, which is concentrated in Quebec?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the forestry industry is active across Canada. The sector is going through very hard times, but it is still an important sector. It is in trouble because U.S. demand went down dramatically.

We are working to fix the problem. Over the past three years, through tax cuts and Export Development Canada programs and services, we have given the sector nearly \$50 billion, and we will keep looking at ways to help the industry.

*Oral Questions*

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister justified helping the auto sector by saying that demand had plummeted and that it affects thousands of indirect jobs, and that is true, but that is what is happening in the forestry industry too. The forestry industry is also critical to the survival of entire regions, and the industry's problems affect thousands of indirect jobs. What is good for the auto sector should also be good for the forestry industry.

Can the Prime Minister explain why he has given so little financial help to the forestry industry?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, on the contrary, we have given that sector a lot of help. We have given tens of billions of dollars, not only through tax cuts, but also through programs for affected communities and workers, including agreements with the provinces on the industry and on worker training, not to mention loan guarantees underwritten by EDC and the BDC.

The question is, why did the Bloc Québécois vote against all of these programs for communities that rely on that sector?

• (1425)

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, the Prime Minister said yesterday, to justify the enormous sums of money being paid out to help the auto industry, that there would be job losses in the six figures. Well, we have already lost 50,000 jobs in the forestry industry, half of them in Quebec, and we are still waiting for a real assistance plan.

By the Prime Minister's reasoning, what is he waiting for to help the forestry industry—the number of jobs lost to go even higher?

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC):** Mr. Speaker, there is no doubt that the forestry industry is having very hard times because of the uncertainty that characterizes that market. That is one reason why our government has created the Canada-Quebec committee to prepare appropriate responses to the crisis in the forestry economy.

**Mr. Serge Cardin (Sherbrooke, BQ):** Mr. Speaker, in the recent document filed by Canada on May 15 in the case between Canada and softwood lumber producers in the United States, the government's lawyers argue, at page 11, that the loan guarantees given to forestry companies do not violate the softwood lumber agreement. However, the Minister of State (Economic Development Agency of Canada for the Regions of Quebec) says the opposite.

So who is telling the truth, the Minister of International Trade or the Minister of State (Economic Development Agency of Canada for the Regions of Quebec)?

**Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC):** Mr. Speaker, there are indeed cases currently before the courts and so we are going to wait for the results. However, it is also true that EDC has provided support for over 400 companies in Quebec amounting to more than \$14 billion in the past year. We will continue to provide that support.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, the job losses in the forestry industry are unacceptable. Over 200 communities are suffering at present, and 55,000 jobs have been lost in two years alone. What is the government's response? It has no

response. It is not giving any loan guarantees and it is making no effort to prepare a detailed strategy for setting a new course for the industry. There are no new markets.

Why is the Prime Minister turning his back on workers in the forestry industry here in Canada?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, on the contrary, this government has given the industry considerable assistance for developing markets. We have provided communities with assistance through agreements with the provinces and training for the unemployed. Through EDC and the BDC, we have also increased the funds available for financing companies in that industry.

Once again, however, the question is why the New Democratic Party voted against all of those measures for that industry.

[English]

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, this recession is not new to forestry. It is not as though it just came in the last few months with the economic downturn. It has been going on for years. We have been raising this issue in the House for years.

If the approach of the government was working, there would not be thousands of workers out here on the streets demanding action for their families and for their communities.

What we need is some loan guarantees. What we need is a strategy to create markets in this sector. What we need is some fair trade for a change. What we need is to stop raw logs from going across the border and creating jobs down in the United States.

When will we see some real action from the government?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, everybody knows that the difficulties in the forestry industry are due to the dramatic decline in demand we have seen in the American market.

Yet, when the government brought in the softwood lumber agreement that gave us access to that market and \$4.5 billion back from the litigation, the NDP voted against it. When we brought in measures to help workers and communities affected by layoffs in the forestry sector, the NDP voted against those. When we brought in measures to increase financing for EDC and BDC to help this sector, the NDP voted against them.

Why does the NDP not stand up for workers instead of just being a branch plant of the Liberal Party?

• (1430)

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, we voted against the softwood sellout. That is what we voted against.

I would ask the Prime Minister whether he has the courage to go out and give that answer to the workers who are outside right now. The fact is they have lost their jobs. They have worked trying to build this country for years.

*Oral Questions*

He has refused to fix EI. He is not doing anything to protect their pensions, but he is perfectly happy to defend people who run a pension plan that loses \$24 billion and give themselves millions of dollars in bonuses.

Why will he not stand up for the workers who have lost their jobs instead?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, if the leader of the NDP and his friends in the Liberal Party want to rip up the softwood lumber agreement, stop our access to the American market and give billions of dollars back to American lawyers, that is their choice, but nobody in the forestry industry wants them to do that and this government will not do it.

\* \* \*

[Translation]

**THE ECONOMY**

**Mr. Gerard Kennedy (Parkdale—High Park, Lib.):** Mr. Speaker, according to Statistics Canada, government spending decreased in the first quarter. Last year, \$2 billion was not invested. That money should have been used for construction starts and to create jobs. Instead, 87,000 fewer construction workers are working this year.

What does the government have to say to the unemployed construction workers this year?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the newspaper report that the hon. member refers to is misleading. Federal government spending actually has increased. Relative to the last quarter of 2008, federal spending increased by \$1.5 billion, or 2.4%, on an annualized basis.

What was different was that we had lower debt charges in the first quarter due to lower interest rates, and that had a significant dampening effect on growth, but spending on programs rose over \$3.2 billion, or 6.2%, in the first quarter of 2009, relative to the last quarter of 2008.

**Mr. Gerard Kennedy (Parkdale—High Park, Lib.):** Mr. Speaker, it was the finance minister on January 27 who said it was absolutely essential to get the projects going and the money flowing within 120 days, four months.

The deadline has come and gone and all Canadians have to show for it are photo ops with Conservative ministers. The construction season is well under way, but instead of funding speeding up, it has slowed down and no jobs have been created.

Canadians need to know, is it because the finance minister is wrong, or because the minister responsible for infrastructure is incompetent, or is it both?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, if we look at the unprecedented investments made in every region of this country, it is indeed impressive.

We saw today the Minister of Public Works in Quebec announcing a deal where some \$2.75 billion will be spent to help create jobs in the province of Quebec.

We are working very well with the member's premier in the province of Ontario, something that the member could never do. I see the Prime Minister working with the premier of Ontario providing leadership, making things happen and creating jobs. That is good news for this economy and that is good news for this country.

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**EMPLOYMENT INSURANCE**

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, today the human resources minister claimed there was no need to change EI because the current bleak economic situation was making it easier to qualify. What she is saying is that the Conservatives' incompetence is enabling people to qualify for EI because the jobless rate is going up everywhere.

What in the world are the Conservatives telling the unemployed? To wait and not to worry because the Conservatives are making things worse all the time and eventually people will qualify? What kind of answer is that? Why not set a national standard for eligibility now? Why not get ahead of the game instead of having to wait for this Conservative recession to bring everybody down to the same level?

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, what we will not do is what the Liberal irresponsible 45-day work year plan would do, which would increase job-killing payroll taxes in order to pay for it. That would hurt workers and kill business.

What we are doing is helping workers by making significant improvements to the employment insurance program, such as increasing the benefits by five weeks, expanding work sharing, freezing EI premiums and spending billions in expert training and skills upgrading.

• (1435)

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, we have no plan to increase payroll taxes. We have been very clear.

What is the government saying? Let me quote from page 223 of the Conservative budget. Regarding EI, it says that starting in 2011, the premium rate is expected to rise. There is no secret there. Under the Conservatives, payroll taxes go up. They have already told us that. Do they not know that payroll taxes kill jobs? The member for Kings—Hants could tell them that. That is hypocrisy and incompetence in one untidy Conservative package.

Why can they not get serious and reform EI now?

*Oral Questions*

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, the ill-advised, ill-conceived 45-day work year plan the Liberals have would cost billions of dollars. How are they going to raise those billions of dollars except by raising payroll taxes? That is the only way they can do it. They think the deficit is too big. How will they do it? They will have to raise taxes. That is what the leader said before, "We will have to raise taxes". I would believe him in that regard.

\* \* \*

[Translation]

**GOVERNMENT ASSETS**

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, we have learned that the Conservatives are still considering selling off federal government assets and that everything is on the table.

Are we to understand that the government would be willing to sell crown corporations like the CBC/Radio-Canada, VIA Rail and the Canada Mortgage and Housing Corporation?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in the budget we announced an asset review which did not include Heritage Canada, which is responsible for the CBC.

[Translation]

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, it is my understanding that VIA Rail and the Canada Mortgage and Housing Corporation are included in the privatization we are reading about in the newspapers.

Concerning the shares that the government received upon saving GM, the Prime Minister said they would be sold off as soon as the price is right, which is completely reasonable. However, the same logic does not seem to apply to other government assets.

Will the Conservatives admit that they are taking advantage of this crisis and want to sell shares simply in order to carry out their ideology, whereby the size of the government must be reduced to a minimum?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** No, Mr. Speaker. In fact, the government is conducting an asset review because it is good business management practice. Any large organization should constantly be reviewing what it owns, whether it still serves the public interest. In the situation of the Government of Canada, that is exactly what we are doing.

\* \* \*

[Translation]

**NUCLEAR WASTE MANAGEMENT**

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, the Minister of Natural Resources said that she would negotiate directly with Quebec communities with respect to nuclear waste management. Quebec controls the development of its territory and wants to continue to do so.

Does negotiating nuclear waste management directly with municipalities show respect for the jurisdiction of Quebec and the provinces?

[English]

**Hon. Lisa Raitt (Minister of Natural Resources, CPC):** Mr. Speaker, the issue to which the hon. member is referring is actually a separate agency. It is the nuclear waste management program. It is actually doing consultations with communities throughout Canada, not just in Quebec.

It is putting into place the long-term plan for the disposal of nuclear fuel here in Canada. It is looking for a willing and informed community that will be willing to undertake the repository of this material.

Simply put, it is communicating with all Canadians and all communities, and developing the process therefrom.

[Translation]

**Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ):** Mr. Speaker, the Minister of Intergovernmental Affairs should know that there is a unanimous motion of the National Assembly to prohibit the burial on Quebec territory of nuclear waste from outside Quebec.

Will the minister for once mind her own business, respect the decision of the National Assembly and ensure that Quebec is taken off the list of potential sites for burial of Ontario's nuclear waste?

**Hon. Josée Verner (Minister of Intergovernmental Affairs, President of the Queen's Privy Council for Canada and Minister for La Francophonie, CPC):** Mr. Speaker, I do not need any lectures from the member. I mind my own business and I take care of my areas of responsibility in Quebec. Had he listened carefully to my colleague's reply, he would have understood that no one is being forced to accept the site in question.

\* \* \*

● (1440)

[English]

**AUTOMOTIVE INDUSTRY**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the lack of normal commercial credit remains the crux of Canada's recession. Successful auto dealers in Saskatchewan report that Canadian chartered banks will not do business with them because they are selling GM or Chrysler vehicles. Billions of tax dollars are now at risk in those two firms.

Does the minister find it acceptable that a dealer with 30 years of successful experience, operating multiple outlets across western Canada with \$6 million in profit last year and no debt, cannot get an operating loan from a Canadian bank if that dealer sells GM or Chrysler?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in fact, as we said we would do in the economic action plan, we have put in place all of the elements, actually, of the extraordinary financing framework and that includes the assistance to the auto industry.

*Oral Questions*

BDC has been very active in this regard working with commercial banks. The reality is there are some auto dealerships in the country that are excess capacity as we have seen with respect to General Motors.

[Translation]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, the Conservatives' incompetence has made them force GM to close dealerships to make it look as though it was the number of dealerships that led to GM's financial woes. We all know that the fewer dealerships there are the fewer GM vehicles will be sold.

GM is restructuring and the objective is to increase sales. Will the Conservative government rescind its bad decision and order GM to withdraw the closure notices sent to more than 250 of its most successful dealerships in Canada?

[English]

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, the fact of the matter is, of course, that GM started this restructuring many months ago. It is closing literally thousands of dealerships in the United States. It is consolidating. When it goes from eight brands down to four brands, it makes sense to review the dealership network across North America. That is exactly what GM is doing.

On our side we do not dictate that process. The only thing that we say is that it has to be cost competitive in its operations. It has proved that with its business plan. That is why the Government of Canada accepted the business plan.

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**GOVERNMENT ASSETS**

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, last fall the government failed to deliver a serious fiscal plan to deal with the recession. Worse, it attempted to hide the fact that it had already returned Canada to deficit by booking a \$4 billion fire sale of crown assets. Now we learn every major crown asset is on the Conservatives' chopping block.

Will the government disclose its criteria for this review and guarantee that this is not an ideological mission to dump institutions such as the CBC, VIA Rail and Canada Post? After all, they were all on the Prime Minister's hit list when he was the head of policy with the Reform Party.

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I know the member must have read the economic action plan because he voted for it. If he has forgotten, then perhaps I can remind him that in the economic action plan that he voted for, we set out an asset review. The first stage of the review will specifically focus on the following departments: finance, Indian and northern affairs, natural resources, transport and infrastructure portfolios. Not Heritage Canada.

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, this is the government that blew the fiscal framework when times were good, pretending the party had never stopped. Well, the party is over and Canadians have been left with a serious Conservative hangover.

TD Bank is now predicting a federal deficit of \$167 billion over five years, which is double the finance minister's projections. After 11 consecutive surpluses where we paid down \$105 billion in debt, we are \$60 billion deeper in debt than we were in 1996.

Minister, stand up and tell us exactly what is for sale and at what prices, so we can cover your tracks and get Canada back into the black.

**The Speaker:** I remind the member for Ottawa South that he will want to address his remarks to the Chair. I am not a minister.

The hon. Minister of Finance.

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, as I said a moment ago, the purpose of the asset sale review is good business management. We want to make sure that government assets still perform a useful function for Canadians, that the original purpose is being maintained, and that tax dollars are being spent wisely.

I am sure the member opposite would value those objectives and would think that this is prudent business management for the people of Canada.

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**CANADA PENSION PLAN INVESTMENT BOARD**

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, there have been many questions and media reports about the compensation to the board members of the Canada pension plan.

Would the Minister of Finance comment on this situation?

• (1445)

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, we thank the CPPIB for its work, and of course it is not to be interfered with politically. It is responsive to the Government of Canada and to the provinces.

Having said that, the G20 leaders at the London summit agreed on three fundamental principles with respect to executive compensation. I spoke with, and wrote to, the chair of CPPIB today, asking him to confirm to me that there has been compliance with those principles. I look forward to his reply.

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, in order to help the minister assess the response, I might want to bring the following facts to his attention.

The CPPIB lost \$24 billion. The members gave themselves multi-million dollar bonuses because they said it was based on a four-year rolling average, but they did not even beat inflation over those four years. In fact, the United Church pension board, a multi-billion dollar pension, an all-volunteer board, outperformed them to 2:1.

If it had invested exclusively in government bonds, it would have made \$13 billion more over the past 10 years.

*Oral Questions*

I hope that helps him. How much does the CPPIB have to lose before he finally says “no”?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I know the member opposite wants to interfere with how the Canada pension plan invests money. Well, Canadians do not want that interference. This is one of the best publicly funded pension plans in the entire world.

The three principles to which I refer are: firms' boards of directors to play an active role in the design, operation, and evaluation of compensation schemes; compensation arrangements, including bonuses, to properly reflect risk and the timing and composition of payments to be sensitive to the time horizon of risks; payments should not be finalized over short periods where risks are realized over long period. And there is one more for later.

\* \* \*

[Translation]

**NORTEL**

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, Nortel is another example of Conservative mismanagement. Nortel executives and directors just gave themselves another bonus, this time worth \$45 million. Meanwhile, employees will lose their separation allowance and will be forced onto employment insurance, at taxpayers' expense, and retirees will lose 31% of their pensions. The Bankruptcy and Insolvency Act comes under federal jurisdiction.

Will the government, which is a creditor but is not attending the hearings, finally take action in the case of Nortel, yes or no?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the pension regulation of Nortel is the responsibility of the provincial government not the federal government.

\* \* \*

[Translation]

**PUBLIC ACCOUNTS**

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, in 2007, in response to the Auditor General's recommendations, the Standing Committee on Public Accounts required that the government not exercise the two years of options in the contract awarded to Royal LePage Relocation Services. The contract will terminate in November 2009, and the call for tenders for a contract worth more than \$1 billion seems to have been tailor-made to favour one supplier.

Why did the government wait until the last minute to relaunch the tendering process? Is it trying to bypass the process in order to benefit Royal LePage Relocation Services?

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC):** Mr. Speaker, Public Works and Government Services Canada is working in Canadians' best interests, and we are doing everything in our power to be as transparent as possible.

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, potential bidders are demanding that the unrealistic clauses and the deadlines in the call for tenders be reviewed.

Can the Minister of Public Works and Government Services promise to review these clauses and treat all the bidders fairly?

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC):** Mr. Speaker, Public Works and Government Services Canada's process is transparent to all bidders.

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**FOREIGN AFFAIRS**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, my question is for the Minister of Foreign Affairs.

The necessity of a public investigation into the events in Sri Lanka is now clear. There is a serious and difficult humanitarian situation in that country. We are also well aware that there have been close to 20,000 recent casualties.

What will the minister do to ensure that an international investigation into this situation will be held?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, as my colleague is well aware, we are delighted that this conflict, which has dragged on for 25 years, is now over. We are, moreover, absolutely in favour of the initiative he supports.

We do, however, suggest very strongly that the Sri Lankan government take responsibility for this investigation and ensure that it is as transparent as possible, and has the potential to lead to the national reconciliation that is so necessary to this process.

• (1450)

[English]

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I thank the minister for his answer.

We face a humanitarian crisis. I am sure the minister will be aware of the fact that close to 300,000 people are now in camps in Sri Lanka. The number is very high and the conditions are very poor. The United Nations High Commissioner for Refugees is concerned. The U.N. Secretary-General has expressed his concern.

I would like to ask the minister, particularly, what additional steps is Canada going to take to make sure that we are responding to the level and degree of humanitarian concern that the world now shares about the situation in Sri Lanka?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, I am pleased to report to the House and to all Canadians that we have responded. We are continuing to have discussions. We know what negotiations are happening. We know access has been opened up to camps and shelters for the Red Cross. International workers are now able to go in with special passes.

We will continue to be a part of the discussions and negotiations. Accordingly, we will respond appropriately once we get a full assessment from the field.

*Oral Questions***GOVERNMENT ASSETS**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, France would not sell the Eiffel Tower any more than the United States would sell its Statue of Liberty.

We now have learned that every Canadian institution by which we define ourselves as Canadians is on the auction block, or should I say the government's hit list. The Royal Canadian Mint, the CBC, VIA Rail are on that list. The government might as well hang a billboard on the Peace Tower that says: "Fire Sale. Going out of Business. Everything Must Go".

It is a poor business manager who tries to balance the books by selling-off everything of any value.

Will the government not just admit that this fire sale of assets is more about ideology than it is about economics?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, on a housekeeping note, I am concerned about the quality of the sound system in this place.

This is the third or fourth time this question period that I have pointed out that if anyone wants to read the budget, Canada's economic action plan, which is a wonderful book, they would see that Heritage Canada is not listed in the asset review for this year.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, today is the 40th anniversary of the National Arts Centre, however, according to the minister's department, his documents, that institution could be up for sale. Just four months ago I raised the issue with the Minister of Finance and he downplayed it. Yet today we hear that the NAC could be up for sale at the whim of the minister. This is an affront to Canadians.

Is the document that the minister has received from his department, which hopefully he has read, true? Is the NAC up for sale?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Let me say this slowly, Mr. Speaker. The answer is no. The assets of Heritage Canada are not being reviewed this year. That is set out in the budget.

\* \* \*

**EMPLOYMENT INSURANCE**

**Mrs. Tilly O'Neill-Gordon (Miramichi, CPC):** Mr. Speaker, my question is for the Minister of Finance. Hundreds of thousands of Canadians, including many in my riding of Miramichi, depend on employment insurance benefits to help them get through this recession. I support the decision to freeze payroll taxes so the government, not employers and workers, bear the burden of higher EI costs.

How much money is the government investing in employment insurance to help Canadians weather the recession?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, during the global economic recession, Canadians expect strong leadership from the government. The first pillar of the economic action plan deals with the necessary investments to help protect our economy and protect Canadian families. To help Canadians who have been the hardest hit by the recession, we will invest \$5.5 billion more in EI benefits this year.

● (1455)

**VETERANS AFFAIRS**

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, this morning I had the privilege of meeting with Widows on a War Path, a wonderful group of brave women who are looking for justice for their husbands who died as a result of the spraying of agent orange at CFB Gagetown. However, unfortunately their husbands died too soon, too soon for the government's artificial timeline of February 6, 2006.

Will the minister do the right thing, change this arbitrary date, deliver compensation to all those deserving heroes just like he promised in the last election?

**Hon. Greg Thompson (Minister of Veterans Affairs, CPC):** Mr. Speaker, we took action where her government would not. The former minister who sat in the front row admitted it was too tough for her government to do, so the Liberals just did not do it.

The fact is what we did was very fair and it was generous. I do not want the member to forget that, under the pension process, the file is still open. They still apply under the Pension Act of Veterans Affairs.

What we did was very fair and very generous. We acted where the Liberals refused to act.

\* \* \*

[Translation]

**CANADA MEDIA FUND**

**Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, in response to a question I asked yesterday, the Parliamentary Secretary to the Minister of Canadian Heritage said that Télé-Québec would be excluded from the Canada media fund from now on. Everyone in Quebec is worried that the new criteria based mainly on audience ratings will disqualify educational television, such as Télé-Québec. Yesterday, the Parliamentary Secretary to the Minister said that he wanted to put everyone on a level playing field.

I would like a clear answer from the minister. Will Télé-Québec be excluded from the Canada media fund or not?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, it will not be excluded.

*Oral Questions*

[English]

**JUSTICE**

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, on Sunday, Dr. George Tiller was shot to death in his church in Wichita, Kansas. Dr. Tiller, a man of great integrity and compassion, worked every day for women's rights. He ran a women's health clinic and had been under threat by the anti-abortion movement for many years. Similarly, abortion doctors in Canada are threatened and harassed. Some fear for their lives.

What is the government doing to protect Canadian doctors and ensure the right of Canadian women to reproductive choice?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, all individuals are protected under the Canadian Criminal Code.

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**TERRORISM**

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, our brave men and women are fighting in places like Afghanistan in an effort to rid that country of hate and oppression. Tragically, the terrorist attacks in Pakistan last week reminded us that hate still exists in many places.

While some of this hate is the act of individuals, other times it is organized and even sponsored or supported by nation states, states that have all too often hidden behind diplomatic immunity to sponsor and fund these acts of violence and terror.

What is our government prepared to do to ensure that victims of terror are able to seek justice and redress from those organizations and states that use terrorism as a weapon in the war against democracy and freedom?

**Hon. Peter Van Loan (Minister of Public Safety, CPC):** Mr. Speaker, today the government is taking action to provide victims the right to sue terrorists. Individual terrorist organizations and foreign states that support and sponsor terrorism will now be subject to another way that they can be brought to justice. Our government will hold sponsors and perpetrators accountable for their crimes.

I want to thank the Canadian Coalition Against Terror for its work on this. It has been a voice for victims of terror, it has stood up for them and it has been a driving force behind our government's action.

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**ABORIGINAL AFFAIRS**

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, it has been nearly three weeks since we made the call for a proper, competent investigation into the known 520 missing and murdered aboriginal women and girls. So far we have heard no response. Families deserve to know what happened to their daughters, mothers or sisters.

Will the justice minister stand up and tell the House when his government is prepared to launch an investigation into this matter in order to bring justice to the victims, their families and, indeed, all aboriginal Canadians?

**Hon. Helena Guergis (Minister of State (Status of Women), CPC):** Mr. Speaker, we have had conversations about this issue a number of times.

She is talking about a program called "Sisters in Spirit", which is funded through Status of Women Canada. It is a five-year research project. It is also an awareness campaign. This is the project that was the reason why we were able to identify the number of missing and murdered aboriginal women.

The project is not completed yet. I have made a commitment to work with the aboriginal women's association on sisters in spirit, too.

\* \* \*

● (1500)

[Translation]

**INTERNATIONAL COOPERATION**

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, despite Canada's recent disengagement from Africa, 32 African countries are proposing a Canada-Africa partnership, along the same lines as its partnership with the European Union. It would involve establishing an annual Canada-Africa forum, similar to those Canada already holds with China, India, Japan and the European Union.

Can the Minister of International Cooperation tell us what she intends to do about this partnership proposal?

[English]

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, once again, I am very pleased to report that I met with the group of African ambassadors yesterday. We had a very productive and positive meeting. The group has put forward a number of recommendations, which I will share with my colleague. I have undertaken to continue a positive dialogue with the group of ambassadors within the countries that we serve and work with them.

\* \* \*

**INFRASTRUCTURE**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, for the first time in seven months, Toronto drivers are seeing gasoline prices jump above \$1 a litre. Many commuters who cannot afford it will be turning to public transit, putting more strain on the system.

To help, Toronto wants to buy 204 new streetcars, but the Conservatives have not paid the federal share. In fact, today we learn government spending actually slowed in the first quarter of this year.

When will the minister do his job, get the dollars out the door and help Toronto buy the new streetcars that it needs?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, we are certainly prepared to look at projects that would create jobs in Toronto. The member opposite is pushing a plan that would violate the commitment made by her leader to only have made in Canada infrastructure.

*Points of Order*

What I can tell her is we are investing and supporting the expansion of the Toronto Island airport, where there are new planes being built, made right in Toronto by Bombardier, made by Canadian auto workers, good paying jobs because they build a great product. They can count on the Government of Canada being there every step of the way to help them out.

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**PRESENCE IN GALLERY**

**The Speaker:** To commemorate the 65th anniversary of D-Day and the Battle of Normandy, I wish to draw to the attention of hon. members the presence in the gallery of two distinguished Canadians who were official war artists during World War II: Mr. Bruno Bobak and Mrs. Molly Lamb Bobak.

**Some hon. members:** Hear, hear!

\* \* \*

[*Translation*]**POINTS OF ORDER**

## ORAL QUESTIONS

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, I rise on a point of order.

I rise to request unanimous consent for the tabling of a document concerning the so-called assistance the federal government is providing to the forestry industry.

Last week, the Minister of State for Economic Development Agency of Canada for the Regions of Quebec talked about assistance worth \$8 billion. Today, in question period, once again on the topic of assistance to the forestry industry, the Prime Minister talked about \$50 billion in assistance. In response to another question, the Minister of International Trade talked about \$14 billion in assistance.

I therefore request the unanimous consent of the House to call on the Prime Minister and the other two ministers in question to table the relevant documents so that we may determine just how much assistance is actually being provided.

● (1505)

**The Speaker:** I am certain that, if the ministers wish to table documents in the House, they can ask for the opportunity to do so, or simply give them to the clerks here at the table. It is not a problem for a minister to table a document, as the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord is well aware.

This is not therefore a true point of order, since the hon. member did not indicate that the ministers may have referred to a document. That is not what we saw. They answered, of course, without such documents before them, at least not that we could see.

**Mr. Michel Guimond:** Mr. Speaker, I was merely seeking unanimous consent for the Prime Minister and the two ministers concerned to table the documents.

**The Speaker:** That does not require unanimous consent. As I said, they can table documents at any time, being ministers. As I said, this request is not necessary. If someone wants to ask them to table such documents, they will have to be asked that tomorrow

during question period. That is a question to be asked of the ministers. It is not up to the Chair to decide.

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[*English*]**PRIVATE MEMBERS' BUSINESS**

**The Speaker:** The Chair would like to take a moment to provide some information to the House regarding the management of private members' business.

As members know, after the order of precedence is replenished, the Chair reviews the new items so as to alert the House to bills which at first glance appear to impinge on the financial prerogative of the Crown. This allows members the opportunity to intervene in a timely fashion to present their views about the need for those bills to be accompanied by a royal recommendation.

[*Translation*]

Accordingly, following the May 27 replenishment of the order of precedence with 15 new items, I wish to inform the House that Bill C-290, An Act to amend the Income Tax Act (tax credit for loss of retirement income) standing in the name of the member for Richmond—Arthabaska; Bill C-308, An Act to amend the Employment Insurance Act (improvement of the employment insurance system) standing in the name of the member for Chambly—Borduas and Bill C-395, An Act to amend the Employment Insurance Act (labour dispute) standing in the name of the member for Berthier—Maskinongé give the Chair some concern as to the spending provisions they contemplate.

[*English*]

Hon. members who wish to present their views regarding the need for a royal recommendation to accompany these bills, or any of the other bills now on the order of precedence, are encouraged to do so at an early opportunity.

I thank the House for its attention.

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**POINTS OF ORDER**

## ORAL QUESTIONS

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, in answering my question regarding Toronto streetcars, the Minister of Transport, Infrastructure and Communities claimed that they would not be made in Canada. I just want to make it clear for the record that these streetcars will be made by Bombardier in Thunder Bay and, the last I checked, Thunder Bay is part of Canada.

● (1510)

**The Speaker:** I am sure the minister is delighted for the clarification with respect to the matter.

*Government Orders***GOVERNMENT ORDERS***[English]***CONTROLLED DRUGS AND SUBSTANCES ACT**

The House resumed consideration of Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts, as reported (with amendment) from the committee, and of Motion No. 1.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-15, An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts.

This bill would amend the Controlled Drugs and Substances Act to provide for minimum penalties for serious drug offences, to increase the maximum penalty for cannabis or marijuana production, to reschedule certain substances from schedule 3 of that act to schedule 1, and to make consequential amendments to other acts.

I spoke to this bill at second reading and I spoke against it. I spoke against it because generally I do not believe that mandatory minimums are an effective legislative policy and I certainly cannot support mandatory minimums in the context of drug laws.

Why is that? We have had many studies and reports that show that mandatory minimums have a negligible impact on crime control. For example, I will quote from one of the reports from our own Department of Justice in 2002. It states:

Harsh mandatory minimum sentences do not appear to influence drug consumption or drug-related crime in any measurable way.

Another report in 2005 from our own Department of Justice stated:

There is some indication that minimum sentences are not an effective sentencing tool....

When this bill was at committee, the John Howard Society provided summaries from 17 studies from the U.S. and the U.K. on mandatory minimums, lengthy sentence terms and recidivism. They found that the longer prison terms do not reduce recidivism. The detailed analysis of the United States Sentencing Commission found that mandatory minimums went after the low-level criminals and that they were ineffective at deterring crime.

In 1987, the Canadian Sentencing Commission noted that since 1952, all Canadian commissions that addressed the role of mandatory minimum penalties have recommended that they be abolished. Here we are in 2009 and we are advocating for mandatory minimums.

The Canadian Sentencing Commission also found that existing mandatory minimum penalties, with the exception of those for murder and high treason, serve no purpose that can compensate for the disadvantages resulting from their continued existence but we still have politicians promoting mandatory minimums as an effective means of fighting crime.

Let us unpack what politicians are doing. We are saying that we will punish people for committing a crime and punish them harshly, but punishment comes after the fact. I will quote the author, Michael Tonry, in an article he wrote entitled "Mandatory Penalties", where

he gives the reason that legislatures and politicians continue to enact mandatory minimums. He says that "most elected officials who support such laws are only secondarily interested in their effects. Officials' primary interests are rhetorical and symbolic. Calling and voting for mandatory penalties is demonstrating that officials are tough on crime. If the laws works, all the better, but that's hardly crucial. In a time of heightened public anxiety about crime and social unrest, being on the right side of the crime issue is much more important politically than making sound and sensible public policy choices".

There we have it. It seems that the emperor has no clothes. I want to repeat: "Public anxiety about crime and social unrest...is much more important politically than making sound and sensible public policy choices". That is what we have here today.

I stood up against this bill at second reading but it did pass and it went to committee. At committee, we heard from many knowledgeable expert witnesses. We heard from front line workers, legal scholars and policy experts. Sixteen witnesses appeared and, of the 16, 13 provided evidence and studies showing that mandatory minimums are costly failures that target low-level dealers. This is the issue, because the government is trying to tell us that this bill will stop drug trafficking. We are trying to get the kingpins but the evidence shows that it targets low-level dealers, users and a disproportionate number of visible minorities and poor people. As I stated earlier, our own justice department has two reports clearly stating that mandatory minimums are not effective for drug crimes.

● (1515)

When the minister was asked if he could produce a report showing that mandatory minimums work, he could not, but he did insist that this was what Canadians wanted.

Three of the 16 witnesses did support mandatory minimums. What did they say? Not one of the three could produce evidence showing that mandatory minimums actually work to reduce drug use, drug crimes, organized crime or gang violence. We have nothing except three witnesses who say that they support this. We have no evidence.

My colleagues have spoken to the known results of mandatory minimum sentences: increased pressure on the criminal justice system; and substantial increased costs to the provincial prison and court systems. The bill would capture the low-level dealers, not the kingpins, as it is intended. It also would not address the real issue of addiction that we know is best combated by a four pillar approach: enforcement, treatment, harm reduction and prevention, with each one being equal.

*Government Orders*

I would like to touch on an issue that is not raised in this hon. House often enough, and that is the issue of race and class. Representatives from the Vancouver Area Network of Drug Users, also known as VANDU, testified that drug prohibition serves to further marginalize people because in Canada police profiling centres on poor visible street users and sellers. Canadian jails and prisons house the poor, and our most visible drug users and sellers are aboriginal people and people of colour. They are vastly overrepresented.

VANDU looked to the U.S. where it did implement mandatory minimums in the 1970s and 1980s. In states that legislated these mandatory minimums, by the 1980s it became apparent that poor people and people of colour were most vulnerable to police profiling and imprisonment for drug offences even though drug use rates were no higher than in other sub-groups.

Deborah Small, the executive director of Break the Chains, an organization based out of the U.S., also testified at committee. She said:

I think it's important to note that while all studies show that drug use is pretty much endemic across every population and socio-economic group, the history in the U.S. has been that drug law enforcement has disproportionately impacted poor people.

She went on to say something that is quite damning. She said:

I think it's important to note that one of the effects in New York of enacting the Rockefeller laws is that it forced the state to reallocate money in ways that were really very detrimental. We saw a dollar-for-dollar trade-off in increased expenditures for prisons versus higher education. That sent a message to young people, particularly young people of colour, that the state would actually prefer to invest in their incarceration rather than their education.

How can we stand here and support a bill that we know will not work? We cannot. Therefore, how could we possibly propose an amendment to a bill? We could just throw up our hands and refuse to participate but I do not believe Canadians want that from any of us here. I believe they want us to engage on issues, despite our party lines and our personal ideologies. They send us here to work and sometimes we are working on issues on which we cannot agree.

As parliamentarians, I believe we have an obligation to try to make bills better, even if we strongly disagree with the fundamental premise of the bill.

I would like to point out that we asked many of the witnesses if they would amend the bill if they could and an overwhelmingly majority said that we should scrap it and start over. They actually said "scrap it".

However, despite that clear message, the NDP has proposed an amendment to strike clause 3 of the bill because it is our duty to try to make this bill better. Perhaps we do give up some of our principles by engaging on the amendments but it is the responsible thing to do.

• (1520)

Clause 3 would create quite a few of the mandatory minimums for various schedule one and schedule two drugs, and striking out the clause would result in striking some of the mandatory minimums that we feel would capture the wrong people: people who are poor, aboriginal Canadians, people from racialized communities and compassion clubs.

I would like to thank my colleague from Vancouver East for moving this amendment and doing her best to try to make a bad bill better.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Mr. Speaker, I thank the hon. member for Halifax for her eloquent and very well researched speech in opposition to Bill C-15 and in support of the amendment, which would essentially gut Bill C-15.

I noted with interest that the member quoted the VANDU, a group of drug users from Vancouver in support of her position that minimum mandatory sentences do not work. I am curious to know whether the member supports VANDU's well pronounced policy statement against prohibition of all narcotics, including what most people consider serious narcotics like cocaine and methamphetamine.

**Ms. Megan Leslie:** Mr. Speaker, I support the work that VANDU does generally. It is a group of experts that is made up mostly of people who have addictions, who have overcome their addictions and who know first-hand what addictions can do to their lives and the lives of their friends. We need to look to them as experts on this issue and we need to take them and their recommendations very seriously. They did not appear at this committee to talk specifically about holus-bolus decriminalization. They came for a very specific reason, and that is the testimony I heard and that I had in front of me. I think they are right. I think they hit the nail on the head when it came to Bill C-15.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I thank the member for enlightening the House on a few important details.

My understanding is that where there is an indictable offence, as prescribed under Bill C-15, there is a proviso where the person is liable to imprisonment up to life. Then it goes on to say, "or subject to a mandatory minimum of one year".

I do not know whether the committee, and maybe the member could help, heard from legal officials as to the process that has to be gone through to seek the mandatory minimums to be imposed. My understanding is that the crown attorney would need to make application and that it is usually the practice for them not to make application for mandatory minimums simply because these are the small potatoes and they are really after the serious criminals who are behind the drug offences.

Is the member aware of that and does she know that even existing mandatory minimums often are not even exercised by the crown attorney?

**Ms. Megan Leslie:** Mr. Speaker, I must admit that I am not sure what the member for Mississauga South is referring to. It is a mandatory minimum. It is mandatory that this must be the minimum sentence.

We did have testimony before us that a lot of plea bargaining might happen if there were a mandatory minimum for one offence. Some of the legal experts testified that crown and defence attorneys would try to negotiate a different crime that did not have a mandatory minimum. We would have some very strange plea bargaining where folks would not necessarily be ultimately charged with the crime they committed.

We would also have some judges who would find that in some situations, because the mandatory minimum in that circumstance was unfair to the accused person because of certain circumstances, they may be unwilling to convict because they would not want to give an unjust sentence based on the circumstances they were presented with.

However, I would need to look that up because I do not know the answer to that question. I do not think so.

• (1525)

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, in the bill proposed section 8 states quite clearly that the mandatory minimums provided for are not obtainable and do not apply unless the crown attorney gives notice before the accused enters a plea that the Attorney General will prove the factors related to a mandatory minimum sentence.

This whole thing is a charade, a pretense that there is a mandatory minimum sentence when there is not a crown attorney out there, ever, who is going to waste time giving notice and proving the factors related to this type of offence. If it is a big fish, will the member not agree that the existing sentence for this crime is already a life sentence?

**Ms. Megan Leslie:** Mr. Speaker, I certainly would agree that the maximum is already a life sentence. There are situations where a judge may find that a life sentence is what is needed, but there are also situations where that is not needed.

If we look at that section, we are taking away judicial discretion. The key here is judicial discretion. It is not up to crown attorneys to be the judge and to decide what the sentence is going to be. It is about judicial discretion. It is about the judge taking into consideration all the facts, having heard all the evidence, and making a decision that best fits that situation.

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, I am pleased to rise to debate this bill.

By and large, the direction the government has chosen to take with the bill is completely at odds with our party's policies. We do not support mandatory minimum sentences for drug offences. The amendment we are talking about today would eliminate those from the bill.

The bill in front of us, which is taking up the time of Parliament in the discussion of drug policy, is really indicative of the government. We see the government put forward legislation, not to deal with the problem of a drug policy but simply to put a sugar coating on its anti-crime agenda, to mollify its constituents who somehow might believe the Conservatives are doing something useful for Canadian society with this bill.

That is the problem we face today. We, in this Parliament, are not dealing with the real issues that are in front of us in this country.

### *Government Orders*

When we put forward legislation like this, we are simply putting forward a public relations effort to convince Canadians prior to the next time we go to the polls that the government is actually engaged in serious work for Canadians on the justice side.

Drug use in Canada remains at a level that it has been for many years. In many cases, it represents the appetite of Canadians, the direction that Canadians take with their lives.

I live in a northern region, where the problems we have with substance abuse primarily come from alcohol. We have worked with those issues for centuries. Sometimes we seem to get closer to the solutions. The solutions do not come with enforcement. The solutions to the alcohol issues in the Northwest Territories, in northern Canada and across the country do not come from putting people in jail.

The misuse of a substance, which most Canadians enjoy, they do not mind taking a drink occasionally, they find it useful, perhaps even a little helpful to them in many cases, is the prime cause of misery, broken families, property damage and so on.

We do not try to deal with the problems of alcohol abuse by simply putting people in jail. We know that is not a solution. We know we need to come up with better solutions. We know the solutions that are going to work are based on understanding, education, working with people to ensure they have a decent income and the opportunities that come with life.

This is a bill that speaks to trafficking, I agree. This is a bill about those who traffic in the drugs, the drugs that Canadians buy and Canadians use.

Therefore, if the bill were passed in the state it is in now, it would likely increase the value of drugs on the street, make it more profitable for some to purvey the drugs, but would it actually come to grips with drug issues in our communities? No, I think it would actually go the other way. It would increase the problems we have because we have not taken positive steps toward solving these problems.

• (1530)

We have chosen to go in the wrong direction, and that is really unfortunate. That takes up our time. That sets this country on a course that in a number of years will have to change; we will have to go back in the other direction. We put forward an amendment to try to change the bill even somewhat, to try to make Parliament understand that this is the wrong direction.

We are interested in working in the right direction on drug policy in this country. What is the right direction? For 80% of the value of illegal drugs sold in this country, being cannabis, we will likely want to move to a decriminalization mode. That is our party's position, and it has been for many years. Why have we taken that position? Our position has been backed up by every study and every independent commission dealing with the subject in Canada. We came to realize that some drugs might actually be used by people for their own personal health reasons.

*Government Orders*

Years ago the government put forward a medical marijuana ordinance, which is not working very well. The statistics are quite interesting. Of the 400,000 people in this country who likely use marijuana for health reasons, about 3,000 are licensed under the government program. There is less than 1% under the program. It has been a complete failure.

The other 99% of those people who might use marijuana for medical purposes are on the streets buying it from dealers who are going to be impacted by this legislation. They will raise the price and make it more criminal. Those people will be in an even worse situation than they are today.

Interestingly, when we look at the drug strategy and controlled substance program and the medical marijuana cost breakdown, for those 3,000 licensed users, \$5.2 million was spent in 2006-07 supplying them with medical marijuana. That is outrageous. It shows the incredible ineptitude of this Parliament and this government, and the previous government, in actually coming to grips with the issue of drug policy and drug use in this country.

We are today battling over whether we should put the traffickers in jail for longer periods of time, yet we cannot face the reality of what Canadians do for medical reasons, for recreational reasons or for addictive reasons. We cannot come to grips with that. That is an incredible failure on the part of the government and on the part of our society in this day and age.

I do not know how much longer I have to speak on this subject. I do not know how much longer I want to lecture the government on its failures and the failures of the House of Commons.

Could we please move forward in a sensible and rational fashion on drug policy? Could the government please put the ideology aside, recognize what is important for Canadians, read the statistics, listen to what the experts are saying and then come back with something that resembles a useful tool for Canadians for the future?

• (1535)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the member touched on this, and I would like him to expand on it. There are remote communities in the member's area, and I suspect they are like Vancouver Island and my own riding of Nanaimo—Cowichan, where it is often very difficult to have a balanced approach.

In talking about drugs, the Conservative government looks at one aspect and fails to look at things like prevention. That entails education awareness and certainly treatment.

Many young people in my own riding have a lot of difficulty in accessing treatment when they are ready to take treatment. I wonder if the member could comment on what he sees as being important in terms of a more balanced approach when we are talking about drugs in this country.

**Mr. Dennis Bevington:** Mr. Speaker, because of the sense of illegality around drug use, because of the kinds of relationships that people get into when they are drug users, because these are illegal substances they are forced into the criminal market, because of all those things, young people take on the air of those around them.

In one respect the government is right. There is a gateway into drugs. That gateway is the criminalization of drugs. That is what in so many cases is driving the development of many of the drugs that are used in this country. The statistics prove it.

We need to come back to basics. We need to understand what has to happen in this country. Without that understanding, with this continued ideological presentation of issues on this subject, Canadians are going to suffer, young people are going to suffer, the young people the member is talking about in the future. We are simply doing them an incredible disservice.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I listened to the member and he thinks that marijuana is not a drug that should be criminalized, that it should be decriminalized. I wonder what he thinks of the RCMP operational intelligence, in that the superintendent from the Surrey detachment said, "What can't be debated is that cannabis is a currency for organized crime". When I did a tour of my riding when we were talking about the dangers of marijuana, there was a concern in the school districts that the drug dealers would definitely lace marijuana with drugs that would be dangerous to young people. I wonder if the member has thought past the serious drug crimes that this legislation is trying to address. He seems to not realize that we are talking about serious crimes, not about anything less than production, trafficking, possession for the purpose of trafficking, importing, exporting, possession for the purpose of exporting. Would he not think that it is important to protect his constituents from those serious offences?

• (1540)

**Mr. Dennis Bevington:** Mr. Speaker, the minister actually makes the point that I was trying to make. Criminalization of drugs that are used by such a large percentage of the population, some for medical purposes, some for recreational purposes, is driving the criminal industry in this country. Eighty per cent of the revenues of organized crime for drugs comes from marijuana. That is a terrible statistic. That is the oxygen that drives the criminal industry in her province, in my territory. We need to take that away. Decriminalization is the first step in doing that.

I personally believe that we will not get a reduction in crime until we legalize marijuana. We can look at the other drugs. I am not sure about those. I am willing to call it on that.

However, when the minister speaks as she does, she is making my case.

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

**Some hon. members:** Question.

**The Deputy Speaker:** The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

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

*Government Orders*

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the nays have it.

*And five or more members having risen:*

**The Deputy Speaker:** Call in the members.

*And the bells having rung:*

**The Deputy Speaker:** The vote stands deferred until tomorrow at the end of government orders.

\* \* \*

**TOBACCO ACT**

**Hon. Peter Van Loan (for the Minister of Health)** moved that Bill C-32, An Act to amend the Tobacco Act, be read the second time and referred to a committee.

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I rise today in this House to urge all members to support Bill C-32, the bill which cracks down on tobacco marketing aimed at youth.

Smoking is Canada's most serious preventable public health issue. It lies at the root of deadly conditions such as emphysema, lung cancer and cardiac disease. Every year these conditions kill thousands of Canadians and cause suffering for thousands more. We want to reduce future suffering by helping to prevent young Canadians from starting to smoke in the first place. That is why our government is following through on a key campaign commitment by proposing these crucial amendments to the Tobacco Act.

These changes will help protect our children from marketing practices designed to entice them into smoking. By amending the Tobacco Act, we can keep more young people from experimenting with an addictive substance. By doing so, we can shield them from unwittingly laying the foundation for a possible lifelong addiction with potentially serious health consequences.

Through this bill, we are taking a tougher stand against tobacco products that are packaged, priced and flavoured to appeal directly to young people. For example, Bill C-32 seeks tighter restrictions on tobacco advertising. It also seeks to rid store shelves of certain products tailored and packaged specifically for young people.

For example, in 2007 more than 400 million little cigars, or cigarillos, were sold in Canada. Many of these come in flavours such as chocolate, bubble gum and tropical punch, flavours designed to entice young people to try smoking. Flavoured sheets or tubes made from tobacco, known as blunt wraps, are also marketed to young people and sold individually or in low-priced kiddie packs.

These types of marketing strategies have to stop. Tobacco is not candy and should never be mistaken as such. It is time that we recognized these kinds of products for what they are: simple enticements aimed at luring non-smokers into a potential lifetime of addiction. It is for this reason that Bill C-32 proposes making it illegal to add flavours to cigarillos, cigarettes and blunts.

Another factor encouraging young people to try smoking is pricing. If a product is inexpensive, more young people are likely to try it. More than a decade ago, the Tobacco Act was changed to require that cigarettes be sold in packages of at least 20. This change was made precisely so they would be less affordable for our children. Today under Bill C-32 we are going a step further by proposing that the same rule be extended to cigarillos and blunts for exactly the same reason.

This legislation proposes new action on banning flavours to make tobacco less enticing to young people. It proposes new measures to make it less affordable and therefore less accessible. In addition, we are proposing new restrictions on advertising to ensure our youth are not tempted.

Indeed, it is our goal to put an end to a resurgence of tobacco advertising capable of reaching out to our youth through a variety of publications. As it stands now, the Tobacco Act prohibits most advertising; however, advertising in publications claiming an adult readership of at least 85% is still permitted.

In the first few years following the last amendments to the Tobacco Act, the industry did not actively advertise, but things have changed. Over the last two years we have seen a new wave of advertising aimed at young people. Of particular concern are the many free publications with content geared to teens, publications that are available in curbside boxes, at malls and bus stops in just about every community across our country.

What is clear is that in the years following the last changes to the law, the tobacco industry has adapted. It has poked and prodded and found the loopholes it needs to penetrate and get its products into the hands of young Canadians. By doing so, the industry seeks to recruit a new generation to replace the thousands upon thousands who have either fortunately succeeded at quitting, or unfortunately lost their lives prematurely.

Let me be clear. In the face of an industry preying upon a new generation to protect its profits, as the Parliamentary Secretary to the Minister of Health, I am dedicated to taking action that will protect the health of this country's future, and I am proud to say that I am far from alone. In fact, I am but one of several members of this House who feel the same way. I say so because this House and the Standing Committee on Health are composed of dedicated members from all parties who have advocated valiantly for the kinds of changes we seek in Bill C-32.

● (1545)

In particular, I want to point to the great work the hon. member for Winnipeg North has undertaken during her time as a member of Parliament. Many of her ideas are included in Bill C-32 and I want to thank the member for her support and efforts in this regard.

*Government Orders*

In closing, let me summarize some things that we know in relation to this issue. One, we know that the vast majority of adult smokers became addicted when they were in their teens. Two, we know that if people have not started smoking by the age of 19, they are unlikely to ever become a lifelong smoker. Three, using the illustrative examples that I have provided, the tobacco industry is alive and well and trying as hard as it can to exploit gaps in the law to reach more and more young people with its products to start them smoking. As a result, we have an obligation to update our law to make tobacco products less appealing to young people, less affordable and less accessible.

Finally, when it comes to a question like this one and the problems that Bill C-32 seeks to address, I call upon all parties to seek a strong consensus in favour of this very important bill. No matter what party members belong to, what region we hail from, or what community we represent, we are all elected to protect the health of our citizens and safeguard the future of our country. This is precisely what Bill C-32 seeks to do.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I do not think anyone could disagree with the member on the honourable motives of the bill. Why would we not want to stop youth from smoking and all its negative effects on both youth and society, which is why it is somewhat embarrassing for the government. When the Conservatives came into power, they cancelled the aboriginal non-smoking program. That program was very successful in stopping aboriginal youth from smoking.

With the member's statement that all parties should obviously be against smoking and that the health effects and the effects on society are so negative that, as he said, it is something we would all want to support, I hope he will go back and lobby his minister to reinstate the aboriginal non-smoking strategy which the Conservatives cancelled. That strategy not only helped aboriginal youth with the specifically tailored message for them, but all aboriginal people to try to reduce smoking which would be a benefit for all of us.

• (1550)

**Mr. Colin Carrie:** Mr. Speaker, recently the health committee came back from Nunavut. We were appalled to hear in some of the communities that 75% of the people in the communities smoke. What the government is trying to do with this bill and the changes we want to put forth is to put forward a strategy for all Canadians, for all Canadian youth. This is something that the Prime Minister committed to in September 2008.

I do not know if the member has had the opportunity to see some of these products, but I was appalled. There are flavours such as grape, cherry, peach, tropical punch, and get this one, banana split, and of course, everyone's favourite, chocolate. These flavours are being added to these products. These products actually look like markers. In some ways they look like toys.

As the member said so eloquently, I think everyone in the House takes their obligations for the future of this country and to our youth very seriously. I look forward to all members of the House supporting these very important initiatives, not just for the aboriginal community, but for all Canadians.

**Hon. Larry Bagnell:** Mr. Speaker, I thank the member for his comments, but he did not really answer my question. I would like to

ask again, would he lobby the minister to reinstate a program to help encourage aboriginal people to stop smoking? He is right that this bill will catch aboriginal youth, but there are other aboriginal people who smoke. Certainly the former strategy was very well received by them and the funds were well received. It was a very positive addition toward improving health. As the member is the Parliamentary Secretary for Health, I would think this would be a high priority on his agenda.

**Mr. Colin Carrie:** Again, Mr. Speaker, yes, we are committed to the cessation of smoking for all Canadians. When we were up north on our recent trip, I believe that some of the government officials we talked to have a very important program to target aboriginal Canadians specifically. I will look into the member's question directly. I thank him for his time and commitment to this very important issue.

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, I am very pleased to stand today to speak to Bill C-32, An Act to amend the Tobacco Act.

On April 23, in an effort to hold the government to account, I submitted a question to the order paper asking two things.

First, what is the government's strategy to combat the illegal cigarette trade and ensure tobacco control?

Second, what has the government done to follow through on the September 17, 2008, commitment to ban flavoured tobacco products that appeal to children and ban tobacco advertising in print and electronic media that can be seen and read by our youth?

While it appears that Bill C-32 does little to answer my first question, which I will address shortly, it is clear that the bill seeks to amend the Tobacco Act to provide the additional protection of youth from tobacco marketing and the other things as the hon. member mentioned.

Bill C-32 was introduced last Thursday before World No Tobacco Day. The bill is also part of the federal tobacco control strategy, the government's policy framework to reduce death and disease caused by tobacco use, slated for 2011.

I am pleased that on World No Tobacco Day, the World Health Organization decided to promote the evidence-based approach by the former minister of health, Allan Rock, on the graphic labelling of cigarette packages. We know that tobacco is the leading preventable cause of death. More than five million people die from the effects of tobacco every year. That is more than those who die from HIV-AIDS, malaria and tuberculosis combined. It is the only legal consumer product that kills when used exactly as the manufacturer intends. Up to half of all smokers will die from a tobacco-related disease. Second-hand smoke harms everyone who is exposed to it.

*Government Orders*

Tobacco companies spend tens of millions of dollars every year turning new users into addicts and keeping current users from quitting. Through advertising and promotional campaigns, including the use of carefully crafted package designs, the tobacco industry continues to divert attention from the deadly effects of its products. More and more countries are fighting back by requiring that tobacco packages graphically show the dangers of tobacco, as we have done in Canada, and have called for the World Health Organization's Framework Convention on Tobacco Control. They use the MPower technical assistance package developed by the World Health Organization to meet their commitments under this international treaty.

Effective health warnings, especially those that include pictures, have been proven to motivate users to quit and reduce the appeal of tobacco for those who are not yet addicted. Despite this fact, nine out of ten people live in countries that do not require warnings with pictures on tobacco packages.

Nicotine is a highly addictive substance. Warning people about its true risks can go a long way toward reducing tobacco addiction. Requiring warnings on tobacco packages is a simple, cheap and effective strategy that can vastly reduce tobacco use and save lives.

• (1555)

[*Translation*]

Tobacco use is still too prevalent. Tobacco does a great deal of harm and is responsible for the deaths of 37,000 Canadians every year, deaths that could be prevented.

[*English*]

Additionally, in 2008, over three billion more contraband cigarettes were sold in Canada than in 2007, three billion cigarettes that are now more available to Canadian youth.

[*Translation*]

Contraband cigarettes cost the Canadian government nearly \$2.4 billion a year in lost revenue that could be invested quite usefully in programs and health research.

[*English*]

I hope that in writing Bill C-32 and engaging thorough stakeholder consultations rather than information sessions, the government sought to push for more interdepartmental coordination, re-evaluated the failed enforcement strategy that has seen the number of contraband cigarettes rise rapidly and pushed for the cheap and effective strategy of warning labels on tobacco packages. It is not enough for the government to ban something without finding out about and dealing with the other places where this same product can come into Canada, in the same way that we are fighting so terribly about contraband cigarettes.

Right now on the playgrounds in Ontario, 48.6% of cigarette butts found are contraband, illegal cigarettes that kids are buying out of duffle bags in the parking lot for \$6 a carton. This is the way kids are getting addicted. This bill is a good first step to deal with flavoured tobacco, but it will do nothing unless the government actually works much harder to deal first-hand with contraband cigarettes.

Bill C-32 repeals the exemption that permits tobacco advertising in publications with an adult readership of not less than 85%. It prohibits the packaging, importation for sale, distribution and sale of little cigars and blunt wraps unless they are in a package that contains at least 20 units. We know the price point for tobacco is very important to children. Long ago we eliminated the kiddie packs and now it is important to ensure that this also applies to cigars and blunt wraps.

It also prohibits the manufacture and sale of cigarettes, little cigars and blunt wraps that contain the additives set out in a new schedule to the act, as well as the packaging of those products in a manner that suggests that they contain a prohibited additive. It also prohibits the manufacture and sale of tobacco products unless all the required information about their composition is submitted to the minister.

Bill C-32 also aims at protecting children and youth from tobacco industry marketing practices that encourage them to use tobacco products. These marketing practices included the use of flavourings and additives that would appeal to children and youth, the availability of little cigars and blunt wraps, sheets or tubes or tobacco in small quantities and kiddie packs and an increasing number of tobacco ads in daily newspapers and free entertainment weeklies.

Little cigars, also known as cigarillos and blunt wraps, are marketed today with fruit flavours such as grape, cherry, peach, banana split, tropical punch and additives such as vitamins, sugar and others that taste like candy that mask the harshest of the tobacco and appeal to children and youth.

Research from both American sources and the tobacco industry's own internal documents released through court cases indicate that the addition of fruit and candy flavours to tobacco products make them more appealing to new users. The tobacco industry's internal documents show that flavours and additives increase the "try factor".

There is no question that California ads that portray tobacco industry executives corraling youth or sitting in smoky boardrooms saying, "Our customers are dying off, we had better go get the young ones", has been clearly demonstrated with the advent of these truly sinister products.

This is a growing problem. Wholesale sales of little cigars have increased from 53 million units in 2001 to 403 million units in 2007, making them the fastest growing tobacco product on the Canadian market. Bill C-32 would amend the Tobacco Act by prohibiting the addition to little cigars, cigarettes and blunt wraps of fruit flavours and additives that would appeal to children and youth. It would also prohibit the representation of these flavours and additives on the package, such as a picture or a graphic.

The amended Tobacco Act would also provide Health Canada the flexibility, through governor in council authority, to ban other appealing additives or include other product categories in the flavour ban at any time in the future if the evidence indicated that these were serving as inducements to youth.

*Government Orders*

Regarding minimum package requirements, unlike cigarettes that must be sold in packages of 20, little cigars and blunt wraps are often sold individually and priced as little as \$1. Bill C-32 would amend the Tobacco Act by extending the minimum quantity provisions that exist for cigarettes, little cigars and blunt wraps, requiring they be packaged in quantities of at least 20. This change would end the industry practice of selling these products in single or small kiddie packs that are attractive youth because of their cheaper price.

• (1600)

Regarding advertising, although there are currently restrictions on tobacco advertising in both print and electronic formats, the tobacco industry has been taking full advantage of an exemption allowing them to advertise in publications that have at least 85% adult readership. A recent resurgence of tobacco advertising, over 400 ads nationwide between November 2007 and December 2008, has exposed youth audiences to tobacco sales pitches.

Full colour tobacco ads have been appearing in daily newspapers, magazines and in free entertainment weekly papers. The free entertainment papers are available to anybody by way of a curb-side box, making it impossible to restrict access by children or determine if the readership is at least 85% adult.

Between November 2007 and December 2008, tobacco companies spent approximately \$4.47 million to place nationwide ads in print publications, a dramatic increase from the amount spent in the previous 14 months. The proposed legislation will repeal this exemption that allows tobacco ads to be placed in a print publication, again with adult readership of not less than 85%.

The legislation to ban flavoured tobacco is important. However, in many areas it misses the point. In my order paper question I asked whether the government would develop a strategy to combat contraband tobacco. It is clear that Bill C-32 simply would add regulations and would do little to keep contraband out of the hands of children. It makes the legal industry deal with the problem caused by the illegal industry. As we know, children are unable to purchase the legal product.

I agree with the stakeholder groups such as the Ontario Korean Businessmen's Association, which claims that Bill C-32 will have no impact on the true problem, how children start smoking in the first place. It is the illegal product that causes the rise in consumption and the government continues to do nothing to combat the wave of illegal manufactured cigarettes from being distributed in high schools for, as I said, as little as \$6 a carton. In fact, we have seen flyers where people can dial for a carton, except it is not in a carton. It is a garbage bag full of cheap cigarettes delivered right to one's door. We know these are the same organizations that also deal in guns and drugs and this must be stopped.

The Ontario Korean Businessmen's Association says that it does not work. If a person calls the local police, it takes six hours for a police officer to get there. These business people can actually see people selling things right outside their stores. There needs to be at least a 1-800 number and a task force, for which the RCMP called, where all levels of policing could come together to deal once and for all with this dangerous and illegal trade.

The RCMP has also called for the dismantling of the illegal manufacturing sites and called for a multi-jurisdictional department task force. Yet the government has issued licences to illegal operations to make them legal and the task force apparently has never met.

As I mentioned before, illegal tobacco costs taxpayers \$2.4 billion a year in lost tax revenue and undermines every single tobacco control law and regulation currently being administered by the federal and provincial governments.

The sale of illegal tobacco is more than just a tobacco industry issue. This growing trade affects everyone. It deprives Canadian governments of significant revenues, it fosters other criminal activities, it has an impact on public health and provides unregulated, easy and affordable access to tobacco products.

There is also a direct correlation between the rise in contraband tobacco consumption and the change in government in 2006. Looking at the statistics for the growth of illegal tobacco sales, we can see that 33% was the national average last year, up from 16.5% in 2006. This is a jump up over 100%. In 2008 it was 48.6% on the playgrounds in Ontario schools and 40.1% in Quebec.

The Liberals had a strategy in place and multi-pronged approach to deal with problems, but the Conservative government let the rate of contraband consumption grow exponentially. Now we have learned that the American Secretary for Homeland Security, Janet Napolitano, knew nothing of the huge problem in tobacco smuggling until after she came out of the meeting with the Minister of Public Safety. She only responded to this problem after it was raised by a journalist. This is totally irresponsible.

• (1605)

Why is the government refusing to deal with contraband tobacco? Contraband causes huge losses in tax revenues. Does it not need the money? It sees more and more Canadian children becoming addicted on cheap cigarettes and allows smugglers and members of organized crime to profit off the illegal trade.

As I said, it is the same people smuggling the cigarettes who are smuggling the drugs and the guns. This is organized crime. We should look at the statistics. There were 13 billion estimated total Canadian purchases of illegal cigarettes in 2008 compared to 10 billion in 2007.

It is time that the government got smart on crime. If the government were serious about reducing youth smoking, it would consider stopping youth from having access to these cigarettes. The government needs to deliver a plan and enforcement strategy to stop the importation of illegal black market tobacco.

*Government Orders*

In a *Hamilton Spectator* article written on April 30, 2009, it was reported that the jump in smoking rates was directly correlated to easy access to contraband and tax free cigarettes that sell for a fraction of the regular price. Rob Cunningham, a senior policy analyst for the Canadian Cancer Society, mentioned in the article that he was very concerned about the impact of inexpensive contraband cigarettes on smoking rates.

Public health officials estimate that 200 contraband cigarettes cost \$8 to \$15, compared with the usual \$55 to \$80. Mr. Cunningham continued to say that higher tobacco taxes were the single most effective measure to reduce smoking, and the presence of widespread, inexpensive contraband tobacco was dramatically impeding the progress that we would otherwise be making.

The government must address the fact that contraband cigarettes are the cheapest and easiest cigarettes to get for children. I am concerned that in the media backgrounder, the department skirts the issue entirely by saying that contraband is the purview of Public Safety. While this may be true, it completely ignores the fact that an entire strategy is undermined by the lack of action by whatever department is in charge of contraband, and it shows that the government is working in silence, to the total detriment of the health of Canadians.

These are only some of the stakeholder reaction groups we have heard so far. However, many groups, including Physicians for a Smoke-Free Canada and the Canadian Medical Association have been pushing the government for laws that would crack down on the sale and marketing of cigarillos.

Paul Thomey, the chair of the tobacco policy for the Canadian Lung Association, is quoted in the government press release accompanying the bill stating that these are positive steps forward in the fight against tobacco, and that strong measures such as these not only will protect Canada's children from the harmful effects of smoking but will also serve to curtail industry tactics aimed at marketing its products to the youth of this country.

I say again, banning these products in this country will not do anything if they just arrive in duffle bags and dunnage bags from across the border or, as this industry has done before, from Canada, outside and back into Canada, and then dealt with in the black market.

The president of the Canadian Medical Association, Dr. Robert Ouellet, also quoted in the government press release, thanked the government on behalf of Canada's doctors and their patients, adding that closing loopholes is a step forward in protecting our children from a deadly addiction to tobacco.

Despite our concerns that Bill C-32 does nothing to address the contraband issue that is at the heart of youth smoking rates, the Liberal Party will support the bill in principle. However, we will be asking the government questions at committee. Why does the bill not include restrictions against menthol, and why will there be a 270 day period before store owners must take these products off their shelves?

We will also investigate whether the ban on flavours can be extended to chewing tobacco and smokeless tobacco as a kiddie product, as one quarter of the users are children under 19. Flavouring

smokeless with candy flavours is a problem so similar to the flavouring of little cigarillos that it makes no sense to exclude this one category.

We understand that smokeless is not as large a problem as smoking, but it is significant enough to worry. For every five boys who smoke cigarettes, there is one smokeless user. Adding smokeless to the bill would require a very simple amendment to the schedule. Although it could be done by regulation later, there is no reason to delay.

Bill C-32 is a step in the right direction to protect Canadians, and youth in particular, from tobacco marketing. Tobacco products should not be marketed as inoffensive. By prohibiting the sale of cigarettes, little cigars and blunt wraps that contain a series of additives that have flavouring properties, and by prohibiting packaging that suggests that these products contain these additives, the bill aims at avoiding the misleading marketing of tobacco products.

● (1610)

By prohibiting advertising in all types of magazines and newspapers regardless of their readership, the bill ensures that all Canadians, and youth in particular, will not be exposed to tobacco sales pitches.

However, as I mentioned in detail, this bill will not solve the problem of smoking among youth altogether, and that is because the bill fails to address the question of contraband tobacco which is an important source of supply for youth, contraband products being cheap and easily accessible.

Despite the omission of contraband, the Liberal Party will support the bill at second reading. We look forward to engaging in a deeper study at the health committee. We will take witness testimony at committee into consideration in assessing whether this bill should be amended.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I thank the member for her speech. I know she is a medical doctor.

I actually have two questions for her. First, I am just wondering whether in her opinion, and given that all governments of all stripes in Canada, and all political parties, over the years, have collected taxes on tobacco products, and then they turn around and tell people it is dangerous to smoke, she thinks that is a little bit hypocritical on the part of the government.

Also, the member talked a lot about illegal cigarettes. To my mind, whether we are dealing with the area of legal cigarettes from the stores or illegal cigarettes, at the end of the day I think probably the solution to this problem could be along the lines of the government offering incentives for people to quit smoking.

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I am sure that has been talked about by some people over the years. Being a medical doctor, I would think that she would be on the front lines of policing such a program because that is the only way it could work. If a person wanted to quit smoking for financial incentives by the federal government, it really would be turned over to the medical association to police. I think that is one way of getting people off cigarettes.

I would be in favour of banning cigarettes, but I know that does not work. People will just find another way around it.

I would ask the member those two questions, about the hypocrisy of all governments of collecting taxes on a product, when it is causing lots of problems for people, and about incentives for people to stop smoking through the medical profession.

• (1615)

**Hon. Carolyn Bennett:** Mr. Speaker, we know that even when we rolled back the taxes on tobacco, the smoking rate went way up. There is a serious price point, and the taxes on tobacco do two things. It is a deterrent to youth, particularly, in terms of the price point, but it also allows us to do good things.

As the member for Yukon so rightly stated, the government has been previously able to help with programs, particularly for youth. Some of the programs that the government has allowed children to design themselves have been some of the most effective ones, particularly ones that deal with targets because they do not want to be a target of the tobacco industry. I think there have been some very innovative programs that Health Canada has funded over the years.

Unfortunately, the government seems to think that it can cut these things instead of actually using the money that we have to be able to promote it better. I also believe that rather than just giving people money to stop smoking, we need to develop better programs for stopping smoking. Also, some of the products, like the nicotine chewing gum, puffers and patches, need to be much more accessible to Canadians.

We know that it usually takes eight tries for somebody to finally stop smoking. When they have tried and failed four times, they are halfway there. We should not write them off at that point. We must help them go forward to actually be able to kick this deadly habit.

[*Translation*]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I am pleased to take part in the debate on Bill C-32. This bill has a commendable objective, which is to discourage tobacco use among young people by limiting availability and reducing the types of tobacco products on the market.

Needless to say, the Bloc Québécois supports this bill, and we are not alone. Earlier, I got out a May 26 press release from the Coalition québécoise pour le contrôle du tabac that welcomes the federal government's tobacco bill. Louis Gauvin, the spokesperson for the coalition, says:

Even though it does not go as far as we would have liked, the legislation contains crucial provisions that will provide much more protection for young people against the tobacco industry's marketing strategies.

We know that the tobacco industry targets young people. Because nicotine is addictive, young people risk being hooked for a long time. The member for St. Paul's said earlier that someone who is

unfortunately addicted to nicotine will likely have to try a number of times to quit smoking. She talked about eight times. My mother, who was a smoker, did not have to try that many times. She tried to quit once in her life and fortunately was successful the first time. But addiction is a fact, and that is why companies target young people.

I digressed briefly, but I will continue. Louis Gauvin says:

From now on, the industry will no longer be able to mask the harmful effects of its products using fruit and candy flavours... These products, which came on the market barely five years ago, are alone responsible for the increase in tobacco use by young Quebecers. Finally, companies will be prohibited from marketing these deadly chocolate- and strawberry-flavoured products in fun, multicoloured kiddie packs.

Continuing with the press release:

The most recent research shows that tobacco use, even when very limited, can lead to dependency. Young people who have tried cigarillos [a type of little cigar that is even sold singly] can easily develop a dependency on nicotine, since the nicotine content in these is similar to the amount in a cigarette. They are then at risk of changing to cigarettes because they are very much cheaper when bought in large quantities. In other words, "even if they account for only a small part of the market, cigarillos play a major role in introducing young people to smoking".

I will share a personal experience if I may. When I was 12, 13, 14, like a lot of kids, I had some people in my group of friends who smoked occasionally, and some others a bit more regularly. As I have said, my mother smoked as well. So yes, I have sneaked my mother's cigarettes. We took them to the park and we puffed away on them. Then we found out we could get them at the corner store. I must point out that we were certainly not of legal age to be buying them. I do not know what the age limit was at the time, but I am sure that you could not get packages of cigarettes legally at 12 or 13.

However, they sold little cigars with a plastic filter end and a grape flavour. Grape flavoured cigarillos, with a picture of a grape on the package. They were sold in a pack of four or five, I do not remember exactly. When we started smoking those cigarillos, it was a lot more interesting, because inhaling smoke that smelled and tasted like grapes was a lot easier than inhaling the smoke from a regular cigarette.

I am therefore convinced that this kind of marketing was created by the companies to target young people. I remember that we preferred the cigarillos to cigarettes but I am sure the harmful effects were the same. I will assure you, Mr. Speaker, that I did not continue along that path. I quit completely when my mother did, when I was 14 or 15. Everybody in the family was pleased. My brother, unfortunately, continued to smoke for a long time, but he finally quit as well. At a certain point, a person finally listens to reason despite the harmful efforts of the tobacco companies.

As I said, the Bloc Québécois is in favour in principle of Bill C-32, although it is not particularly useful in Quebec because the Government of Quebec already has more severe restrictions on cigarillos.

The cigarillos we are talking about and all other tobacco products should be subject to the same bans as cigarettes.

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•(1620)

As with cigarettes, advertising of tobacco products to young people under 18 must be banned. In addition, the message warning of the dangers of smoking must be applied to all these products, and the products must be hidden from public view.

The companies have tried to convince us, without saying so and just by the product's appearance, that tobacco was less harmful, that it smelled good and that the taste of it was much milder and more pleasant. My colleagues and I talked about all sorts of flavours such as strawberry, chocolate and vanilla. I know we are not allowed to show any props here and I do not want to advertise, but I have in the palm of my hand one of these vanilla cigarillos. I do not want to show it or hold it up to the camera, but the packaging is delightful. It looks like a treat or a candy. A young person getting hold of this would think it was a candy more than anything else. However, far be it from me to advertise it or light it here.

All of us in the House of Commons were given a small package by an anti-smoking coalition to show us how the tobacco companies use this type of marketing to disguise their product, which is in fact harmful. We saw an image of candies and real treats interspersed with tobacco products, which were presented as if they were treats. You cannot tell which is which. There was nothing to indicate that what I had in my hand earlier was harmful to my health. The law in Quebec requires it, however, for tobacco products. Fortunately this will change with Bill C-32.

Some of the demands I mentioned earlier are in part covered by Bill C-32. Still, it must be added that the federal government needs to take stronger action, in connection with cigarette smuggling, among other things. Action must be taken to limit the supply of illegal tobacco products as much as possible, for they are available to minors as well. If the supply is cut, young people will have less access to tobacco products, especially those at lower cost. The low price is, of course, why tobacco smuggling exists.

While police action is needed, certain regulations should be changed to discourage smugglers. There is talk of eliminating the source of supply, which is still the best way of preventing smuggling. There is a proposal to prevent unlicensed manufacturers from acquiring the raw materials and equipment used to produce cigarettes. It has also been suggested that the licences of tobacco manufacturers who fail to obey the law be revoked and an effective system established for marking cigarette packages—the term is traceability—so that tobacco deliveries can be more closely monitored.

Efforts could also be made to persuade the United States federal government to close the factories of illegal manufacturers on the American side of the border. In some places, it is easy to cross by boat. Everyone has seen television reports about this kind of thing. It is very easy to smuggle goods across the U.S.—Canadian border. Not everyone is caught. We should try, therefore, to persuade the American government.

Finally, there are proposals to increase the fee charged to obtain a federal licence to manufacture tobacco products. It could be increased to \$5 million instead of the laughable \$5,000 it is today.

These are some of the measures proposed by the Bloc Québécois to help reduce smuggling.

About a year ago, on May 7, 2008, the public safety minister of the time, who is now the Minister of International Trade, announced an RCMP strategy to fight tobacco smuggling. There were three objectives: dismantle the production facilities, disrupt the supply and distribution networks, and seize illegal tobacco and related products of crime. We never heard any details about the implementation of this strategy and the methods to be used were never clearly explained. The only conclusion we can draw is the results have fallen far short of the expectations.

•(1625)

Ever since 2003, and even before, the Bloc Québécois has been constantly calling on governments of all stripes to act vigorously to prevent the explosion of cigarette smuggling. The Bloc even proposed measures to fight this crime, which undercuts all our efforts to discourage smoking, especially among young people.

The conclusion after a year is that the strategy has not been very well defined. According to several studies, illegal tobacco products supply one-quarter of the Quebec and Ontario market. The federal and provincial governments lose nearly \$2 billion a year in taxes. It may be even more by now. Physicians for a Smoke-Free Canada is right to emphasize that the reduced cost of contraband cigarettes is undermining the progress we have been making in reducing smoking, especially among young people.

I am talking about contraband products today because all the efforts we might make in the House as parliamentarians, through things like Bill C-32 or other measures to reduce smoking among young people, will be in vain if we do not attack the root of the problem, which is smuggled cigarettes.

The Bloc Québécois demands that the RCMP utilize every legal means to effectively combat this illegal importing of tobacco. We absolutely must fight the evil at its root by taking action on both supply and demand. If that means going so far as to seize the automobiles of people going to stock up at the many illegal smoke shacks, so be it. Obviously this would be an excellent way to deter the resellers.

This problem is very expensive for Quebec and Canadian taxpayers, and deprives regular merchants who have the right to sell tobacco—even though we are trying to reduce the availability of tobacco products and cigarettes are no longer displayed openly in convenience stores—of legitimate income because of this unfair competition. This is why it is absolutely necessary to tackle cigarette smuggling.

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To return to the famous cigarillos—I have even given my own personal example—I would describe their attractiveness to children as a con game, because of what the tobacco companies have managed to do, which is to present them almost as if they were candy. The variety of cigarillo flavours makes them seem less harmful to children and youth. The trick lies in perception. I think the kids will have the impression that they are less harmful because of the better taste and smell. All the flavours come from the natural world, but I think that is exactly what these companies were aiming for—to ensure that there is less of the bad cigarette smell so that children are not put off so much and are attracted to the product. As a result of this con game, children really like the cigarillos. Yet those little cigars pose as much risk to their health in terms of nicotine dependence as real cigarettes.

One Health Canada study done in 2000 concluded that cigarillos contain between 67% and 200% more tar than standard cigarettes. Furthermore, unfiltered cigarillos contain twice as much nicotine.

According to the Coalition québécoise pour le contrôle du tabac, there are many reasons why children are attracted to cigarillos. First, the unit price is very accessible. One cigarillo can be bought at a convenience store for \$1. This used to be possible, but things are changing. As I said earlier, it is no longer possible in Quebec. There are also the attractive flavours and packaging, as I demonstrated earlier.

The selling of individual cigarettes is prohibited in Quebec. The reason is quite simple: single cigarettes and cigarillos are more financially accessible. Children generally do not have much money, and buying cigarillos is easier and more accessible when they cost \$1. In my time, it may have been 10¢ or 25¢, and we were all able to collect enough coins from our piggy banks to buy one cigarette or cigarillo. Not so long ago this was also going on in Quebec, and it may be happening, as it should not, in Canada. This will be corrected when Bill C-32 comes into force.

Quebec law prohibits selling to minors. Unfortunately, certain merchants do not abide by the law, and I am sure this is not just in Quebec. According to Health Canada data, nearly 86% of merchants were complying with the law in 2007.

• (1630)

Still, that left 12% who were not, who were selling tobacco products to minors.

The survey by the Institut de la statistique du Québec, the ISQ, estimates that approximately 38% of students purchase cigarettes themselves at a shop. In other words, at some point, the word gets around. It is just a matter of finding the convenience store or shop that will sell tobacco products and all the children will go there. Every group has one youngster who looks older than the others. That was the case in our group, and it wasn't me. There is always someone who looks older and succeeds in duping the merchant and buying cigarettes or alcohol. There is always a way: young people are imaginative.

Therefore it is up to the merchant to be very vigilant and to require ID when someone who looks young comes in to buy cigarettes or cigarillos.

When it comes to flavours, I would again point out that cigarillos come in many flavours. We heard the list earlier. I kept a copy of the list here to show the extent to which the marketing of this kind of product was probably aimed much more at children and young people. They come in raspberry, vanilla, cherry, spearmint, strawberry, cinnamon and even rum. Some may say they are trying to attract adults with this, but in any event, the intention behind this marketing is really very clear. Flavouring tobacco products obviously encourages people to take up smoking by making their first puffs sweeter and more pleasant.

They have chosen attractive packaging. Catching people's eye, the visual aspect, is very important. Cigarillo packages conjure up treats and candy. There are no warnings on the boxes. As I was saying just now, when they are purchased as singles, the little package has absolutely no indication of the danger of inhaling, really of smoking, and using these products. You can even buy chewing tobacco now. It is also presented as an attractive product.

I said that I have smoked, but I have to say I have never tried that. It completely repulses me, but I think some children who like to try things, if it is presented in a way that it looks almost like a treat, a candy, they are certainly going to try it. Imagine what a catastrophe it may be when they put that in their mouth. In the United States, studies have been done, and people who chewed tobacco were more likely to develop cancers of the mouth.

I said earlier that we have all had the evidence from an anti-smoking coalition placed on our desks, showing that these products were hidden among the treats and the attempt was made to pass them off as candy. We were also given a brochure with information.

We are told that the market for new flavoured tobacco products has grown by over 400%. In 2001, 50,000 items were sold, and in 2006 it was 81 million items. We can see what a master stroke of marketing this has been, one that has been diabolically effective, but at the same time a damaging and terrible thing for our young people's health.

I mentioned the Institut de la statistique du Québec. I have more information, in particular about a Quebec survey on tobacco, alcohol, drugs and gambling among secondary school students. Statistics were collected in the fall of 2006 from nearly 5,000 students.

The ISQ found that students were starting to smoke cigars between secondary 2 and 3, and boys and girls were using these products in equal numbers. In the month before the survey, 22% of boys and 21% of girls had smoked a cigarillo. In secondary 5, more than a third of students said they had smoked a cigarillo in the month before the survey. Eight out of 10 students who smoked or were starting to smoke cigarettes every day or occasionally had smoked a cigar. One out of 10 students who did not smoke cigarettes had even tried cigars or cigarillos.

These statistics, which have been collected not only in Quebec but more or less everywhere in Canada, show that tougher legislation has got to be enacted. While Bill C-32 is not perfect, it is a step in the right direction.

•(1635)

[English]

**The Deputy Speaker:** 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 Saint-Bruno—Saint-Hubert, Culture; the hon. member for Saint-Hyacinthe—Bagot, Foreign Affairs; and the hon. member for Edmonton—Strathcona, Aboriginal Affairs.

**Ms. Judy Wasylycia-Leis (Winnipeg North, NDP):** Mr. Speaker, it is a real privilege to rise today in support of this legislation, Bill C-32. This is a good news day for Canadians.

I am very pleased that the government has responded to suggestions by the New Democratic Party opposition to move in this area and that it has listened to the voices of Canadians from one end of this country to the other to try to close a very serious loophole in terms of tobacco addiction.

I have listened to some of my colleagues in the opposition, and I agree there are major areas yet to be dealt with by the government, by Parliament, issues of huge importance, like the contraband issue, like the fact that we have not been able to stop tobacco companies from designing new smokeless products. There is no end to the job at hand by parliamentarians, but we have to take this journey of cracking down one step at a time, wherever possible, when it comes to the very crass, very manipulative marketing of big tobacco. Let us face it, that is what this is all about.

We are here today because big tobacco in this country has found a loophole in the Tobacco Act and regulations that tries to restrict the sale and marketing of tobacco products. The companies have taken advantage of that loophole and designed products that are specifically targeted at creating a whole new market, another generation of smokers. Their market is dwindling, their market shares are falling, their profits are not as large as they once were, and they need to capture the hearts and minds of another group of Canadians so they are addicted to tobacco products for a lifetime.

We are talking about the most clever products one could imagine. I wish we could use props in the House. I know it is against the rules, but if we could, we would show Canadians what we are talking about, show parents how serious this issue is and how important it is that the House finally acts on cracking down on these kiddie products, these little cigarillos that are designed to look like candy or cosmetics, which have the flavours of the world embodied in them, from cotton candy to peanut butter to banana to orange to cherry, and the list goes on and on.

These are wonderfully smelling products that are designed to appeal to young people, to make them want to purchase them because they look so harmless, so appealing. Big tobacco knows that if these young people smoke these products they are more addictive than even normal, regular cigarettes. They are more harmful than the run-of-the-mill tobacco products. Worst of all, they get those kids addicted to cigarettes and smoking before they are even of legal age to smoke.

This is really about shutting down, closing a loophole that tobacco companies have taken advantage of. These products were never intended to be part of any legislation or regulations that this

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Parliament would allow. We cannot envisage the creativity, the ability of big tobacco to develop such products.

Who would have thought that big tobacco in this country would be so crass, so profit hungry, so disrespectful of human health and well-being that it would design products to deliberately get young people hooked? Imagine.

The bill is something that many anti-smoking activists have called for in this country for a number of years. They called on members on our side of the House, and we responded by saying this is a serious issue and it is time that we had legislation.

•(1640)

I brought forward a private member's bill last spring. What was important about that was not so much that I brought it forward but that it was the result of work by many young people across this country.

The youth behind this legislation have to take credit for what has happened here today. They have to claim a victory. Members saw their lobbying here in the House last week. They were responsible for bringing forward a little pencil container for every member of Parliament, which contained two products that resembled each other. They looked sweet and innocent and trendy and colourful, and they smelled pretty. One was a tobacco product and one was a candy product.

This showed all of us how far tobacco companies and large profit seeking corporations will go in order to trap young people into a lifelong addiction to smoking. They know that if they can get them at that age they can get them for a lifetime and their profits will continue to go up. It is more important than anything else we do in the House to stop tobacco companies dead in their tracks when it comes to products that appeal to children and teenagers.

The facts are in. Some in the House may say that the legislation does not go far enough. That is true. The bill could do other things. It could go after all sorts of smokeless products. The bill could look at chew products, which about 1% of the population actually uses, many of them young people. These products are typical chewing tobacco, but they are flavoured. They are interesting to chew, I guess, but they are addictive. We acknowledge that is a problem with the bill.

The bill is also flawed because although it gets at most flavours, it does not go after menthol, because that has been around since the 1920s. We would have liked the bill to close all loopholes and to crack down on all flavoured products and all types of products, not just cigarillos, but we have to make progress in this place. We cannot sit back and continue to squabble.

We have to leap at this moment. We have to capture the imagination of young people and join with them in their efforts. We have to tell them it was a good campaign. We have to tell them they did a great service to Canadians and we owe them a debt of gratitude for their leadership.

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I dare say that if it had not been for those young people and many anti-smoking alliances and organizations, I would not have brought forward a bill, the Conservatives of Canada would not have promised to take up my bill in the last election, and the Minister of Health would not have brought forward a government bill that adopts many of the ideas that I raised in my private member's legislation.

It is a sequence of events that shows how important it is to listen to Canadians and to be responsive and to take steps toward ending something evil, something that is harmful, that is contrary to any notion of a healthy population, to curtail and eliminate those products.

That is what we have done today with this legislation. The government has brought in legislation that would eliminate flavoured tobacco products from the marketplace. All of those interesting flavours and smells that ensnare young people, that capture their attention and imagination and make them want to try one of those cigarillos, are gone. Furthermore, we have said that companies cannot try to get young people to start smoking by selling little cigarillos individually.

Not only is the flavour gone, and by the way, Mr. Speaker, Let's Make Flavour ... GONE!, is the slogan of the young people who worked so hard on this issue, the Northwest Youth Action Alliance and the eastern Ontario youth action alliance, all those folks involved in stopping the sale of flavoured cigarillo products have to take credit that the bill not only bans flavoured tobacco but it bans the sale of individual cigarillos.

• (1645)

Even if they were not flavoured, the fact that these tiny products are sold individually without proper warning labels is also an inducement to start smoking. They are also designed to appeal directly to young people.

Young people go to corner stores and buy one of these little products for \$1 or \$2 because they think they are harmless. "Why not? Let's just try it for the heck of it. It is something to do, and others are doing it." Before they know it, they are hooked. Before we know it, there are serious, high rates of smoking among young people and we have a higher than ever rate of death and illness among Canadians. It is no joke. When we look at the statistics, this is a serious issue.

Tobacco use is one of the biggest public health threats the world has ever faced. Do you know, Mr. Speaker, that there are more than one billion smokers in the world? Globally, the use of tobacco products is increasing, although it appears to be decreasing in some of the high-income countries. Almost half of the world's children breathe air that is polluted by tobacco smoke. The epidemic is shifting to the developing world, with more than 80% of the world's smokers living in low- and middle-income countries.

We know that tobacco kills 5.4 million people a year. That is an average of one person every six seconds, and it accounts for one in ten adult deaths worldwide. It kills up to half of all users, and it is a risk factor for six of the eight leading causes of death in the world.

Because there is a lag of several years between when people start using tobacco and when their health starts to suffer, the epidemic of

disease and death has just begun. There were 100 million deaths caused by tobacco in the 20th century. If current trends continue, there will be up to one billion deaths in the 21st century.

Unchecked, tobacco-related deaths will increase to more than eight million a year by 2030, and 80% of those deaths will occur in the developing world. Therefore, every step we can take towards preventing people from getting started in the first place is absolutely critical. It is a life and death situation.

If we were to look at cigarillo products and realize that the sales of cigarillos in a few years jumped from 50,000 to 80 million or more, we get a pretty good idea of how clever the tobacco companies have been and what their intentions were. Their intentions were to design a product that would appeal to young people and get them hooked on cigarette smoking, thereby handing them a life sentence of addiction to tobacco.

Smoking statistics in Canada are real, glaring and horrific. In Canada today, smoking rates for 15- to 19-year-old boys are about 18%, and among 20- to 24-year-old boys, it is 32%. It is slightly lower than for girls, although we know the tobacco companies are busy trying to design products to appeal to young women as we speak.

On the same day that the minister introduced this groundbreaking legislation, Bill C-32, there was a program on national CBC TV called *Busted*. It was about the tobacco companies designing new packaging to appeal to all kinds of different populations, such as slender packs that look sexy, packages that open sideways because that is innovative, some with light coverings because people will think they are light cigarettes when those words cannot be used, or dark coverings to show that these are solid products. The tobacco companies know no end. We have to stop them each and every step of the way, every time we can.

• (1650)

Let us look at the statistics, in terms of cigarillos. Boys, between the ages of 15 and 19 years old, either have smoked occasionally or every day a cigarillo 30% of the time. Among 20 to 24-year-olds, 57% of young men have smoked cigarillos on an occasional or a daily basis.

Let us translate that kind of intensity of smoking among young people to the deaths we face down the road. Based on 2008 statistics, for cancer, men have an incidence rate of 11,900 and women of 5,500. For heart disease, men have an incidence rate of 6,300 and women of 3,900. For respiratory problems, men have an incidence rate of 4,900 and women of 3,500. The total of men with some sort of complication because of smoking is 23,800 and of women 14,500.

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The statistics speak for themselves. I think everybody in this place knows we have to do something. This is why I recommend we support the bill even though it has a few flaws such as the absence of menthol, it does not include smokeless products like chew and it gives the tobacco manufacturers and the retailers a fairly lengthy period of time to get the products off the shelves, up to 270 days. Some would say that is a long time, and I agree. I would like our manufacturers and our retailers to take note of the debate today and come to the conclusion, I hope, that this place is united in its support for the legislation and that it will not be a matter of very much time before it is passed and they must abide by the law.

In fact, I hope, despite the concerns of members of the Liberal and Bloc parties, which I share, they will see the importance of dealing with this bill quickly, getting it to committee, seeing if there are any amendments that have to be made, which can be handled quickly and expeditiously, and getting the bill passed by both houses before we rise for the summer. By the time children start to go back to school in September, many of these products will be off the shelves, not visible and not there to tempt and tantalize them. We owe that to Canadians. We owe prompt and swift action on this legislation to prevent any more young people and children from trying these cute, trendy products, which bring death and sickness if they lead to an addiction to smoking, and we do know that they lead to addictions.

I have heard many of my colleagues suggest that the real issue is not these products and that we really have to focus all of our attention on contraband. Contraband is a very serious issue. I know about the amount of cigarettes that appear in garbage bags and are readily passed around for cheap. I know how harmful that is. However, I also know we have to deal with that issue separately.

In fact, members will know that I presented a motion to the House that had support from all parties. It called on the government to take immediate steps to deal with contraband. In fact, all three health critics of the opposition sent a letter to the Minister of Health and the Minister of Public Safety, demanding action on contraband. There is no doubt that we will keep the pressure on that issue.

However, let us not be fooled into thinking, as big tobacco would have us believe, that the real problem is not its products but contraband. While it is busy trying to go after contraband because its own markets are threatened, it refuses to acknowledge that its products designed to create a niche market to build its markets and profitability is a part of its doing and has to be stopped. The industry refuses to acknowledge its wrongdoings and how it, each and every day, tries to develop a new market and a new product to appeal to people to get them addicted to smoking because its livelihoods and profit margins depend upon it.

•(1655)

Let us not mix apples and oranges. The bill is designed to get after those kiddie products. It is designed to stop those flavoured cigarillos. It says that cigarillos must be packaged into containers of no less than 20 and they must have proper warnings. That is the objective the bill.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windor, Lib.):** Mr. Speaker, I congratulate my hon. colleague on her fine speech. It was certainly informative. I appreciate her point about the existing packaging. To be honest, I have never really seen these

products before. I have read so much about them and have heard all the protestations about them. When it was presented to us in the House, I could not believe that what I was reading was actually true, that this package looked so appealing to a younger age. I was absolutely flabbergasted. I appreciated the member's comments.

On the heels of that, there was something she mentioned in her speech. She said that thanks to the youth movement around this issue, it had now come to the fore. Certainly it has come to the floor of the House of Commons.

Could the member shed more light on that. I am always very interested in the youth movements that make a difference? They make a difference for the simple reason of who are the proponents and that would be our children. In this case could the member cite some examples and talk in particular about the young groups that spearheaded movements to bring this legislation to the House? Also, could she comment on her private member's bill?

I assume she meant her private member's bill took care of all loopholes, not just the cigarillos but also the smokeless products, such as the chew.

**Ms. Judy Wasylcia-Leis:** Mr. Speaker, first, let me be frank in terms of my private member's bill, which was originally Bill C-566 and then became Bill C-348. It focused on cigarillos, all flavoured tobacco products that ended up as cigarillos. The purpose of my bill was threefold. It was to end the flavouring in those products, to require that cigarillos be sold in packages of no less than 20 and that there be the full two-thirds of the package devoted to warning labels as per legislation when it came to regular cigarettes.

That was the focus of my bill, based on my discussions with the young people and many of the activists in the field. It did not touch the issue of chew. In hindsight I wish it did.

However, we know that in terms of volume the real problem is the cigarillos. The House has heard the numbers. More than 80 million of these cigarillos are being sold on a regular basis. That age group has over a 25% share of the market. It is big and it is important. That is where I stand on this.

With respect to the movement, the whole campaign of "flavour gone" was as a result of young people actively speaking out, from the Eastern Ontario Youth Action Alliance and the Northwestern Ontario Youth Action Alliance, people like Angela McKercher-Mortimer, David Bard, Jennifer McFarlane, Jennifer McKibbon, Sam McKibbon, in my own province the Sister Teens Against Nicotine and Drugs and Aaron Yanofsky who is president of the Manitoba Youth for Clean Air.

So many of these young people mobilized on the Hill, with press conferences and sharing the products and the information. They are responsible for the billboards we see around the city. They kept the pressure on me and others for the last year or more. All credit is due to them.

*Government Orders*

Let me also mention that Physicians for a Smoke-Free Canada, the Canadian Cancer Society, Coalition québécoise pour le contrôle du tabac and others were very instrumental in gathering information, providing us with the statistics, informing us and keeping the pressure on.

Although all those groups would like to see some further changes to the bill, I think they also realize the importance of getting this through quickly. They have asked us to do whatever we can to move this bill through all stages as quickly as possible.

• (1700)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I want to thank the member for Winnipeg North for the excellent work that she has done on this.

As she has noted, she introduced her original bill in June 2008, Bill C-566, and then she reintroduced her bill in March 2009 as Bill C-348. She acknowledged the good work that had been done by young people around the country. It is worth stating, for people who are paying attention to this debate, that concerted action can make a difference in the House.

I also want to acknowledge the Conservative government, which picked up the member for Winnipeg North's bill and has introduced it as government legislation.

The member has tackled the tobacco debate in terms of the product that is advertised and designed to attract new smokers, in this case particularly young people, but could she comment on the whole aspect of prevention and education?

We know that a couple of years ago the Conservative government cut some programming that was designed for first nations and Inuit communities around prevention and smoking cessation. Could she comment on the importance of funding those kinds of programs, not only to prevent new smokers from starting with educational awareness, but to help smokers who need it to quit?

**Ms. Judy Wasylycia-Leis:** Mr. Speaker, it is a very serious issue and we are cognizant of the need to deal with very high incidents of smoking among first nations and aboriginal communities and the need for prevention programs that are geared toward people in rural, northern and remote communities.

Because of that we were very disappointed when the government of the day cancelled a program in September of 2006 that was designed to provide first nations communities with some prevention tools to try to ensure that young people in their communities would not get hooked on smoking.

The government at the time promised it would replace that program with another initiative. In fact, it stated that it was looking for value for money programming and it would be presenting a new initiative and reviving a prevention strategy as soon as possible. Unfortunately it has now been almost two years since that announcement was made and we still have not heard about a prevention program designed to deal with the high incident rates of smoking among first nations, Inuit and aboriginal communities.

It is a deep concern of ours. We will continue to put pressure on the Minister of Health and her department to come forward with a program and more. As the contraband issue shows us, we are dealing

with an effort to get products to people in very difficult circumstances, who are finding easy access to these products and need to be reminded of the dangers of smoking and the problem of a lifelong addiction.

Many groups are worried about those issues as well. In addition to the young people I mentioned, I wanted to also mention Phil Janssen and Mike Robinson, who were on the Hill with a press conference not too long ago. They are from the Area Youth Coalition of Eastern Ontario, associated with the Smoke-Free Ontario Strategy.

I also want to mention some of the major organizations that have worked tirelessly, year in and year out, trying to make progress in this area. Cynthia Callard and Neil Collishaw, who are with Physicians for a Smoke-Free Canada, have to be given credit for much of the work that is being done today. I want to mention Louis Gauvin with the Coalition québécoise pour le contrôle du tabac, Rob Cunningham, Canadian Cancer Society, Garfield Mahood and Melodie Tilson, with the Non-Smokers' Rights Association, Trevor Haché, Smoking and Health Action Foundation, Raphael Jacob, Tobacco Control Accountability Initiative, the Ontario Medical Association and the Canadian Council for Tobacco Control. Let me also mention the Manitoba Tobacco Reduction Alliance, and there are many more groups, organizations and individuals, who have worked long and hard on this issue and whose advice we count on and must be taken seriously.

• (1705)

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I will be splitting my time with the member for Bramalea—Gore—Malton.

Today I rise to speak to Bill C-32, for a cause that is near and dear to me, both as a former health professor but also as a coach and judge, namely, reducing tobacco use among Canadians and particularly among our youth. Today, over 125 countries grow tobacco on four million hectares of land. The global crop is worth about \$220 billion per year, with five trillion cigarettes rolling off the assembly lines annually.

Not surprisingly, tobacco consumption is increasing and it may kill over eight million people a year by 2020 in the absence of drastic controls. Tobacco smoke contains over 4,000 chemicals, 60 of them known or suspected carcinogens, such as arsenic, DDT and methanol. Adults who smoke risk heart disease, lung cancer, nasal sinus cancer and respiratory disease. Even light smokers risk their health. For example, a 2005 *British Medical Journal* study showed that smoking only one to four cigarettes per day was associated with a significantly higher risk of dying from heart disease.

*Government Orders*

Studies show substantially higher levels of lung cancer among people who work in bars, restaurants and other smoke-filled environments. Exposure to second-hand smoke also increases the risk of breast cancer, cervical cancer, miscarriage and stroke. Children who are exposed to second-hand smoke are at an increased risk of asthma induction and exacerbation, bronchitis, low birth weight, pneumonia and sudden infant death syndrome. Over 1,000 and possibly as many as 7,800 Canadians are thought to die from second-hand smoke each year.

Most smokers begin smoking in childhood or early adolescence. Ninety per cent smoke before the age of 18. Early starters are more likely to become addicted daily smokers. Partly because the tobacco industry targets adolescents, 82,000 to 99,000 young people start smoking every day. Gro Harlem Brundtland, then director-general of the World Health Organization, angrily spoke out:

That is no freedom of choice! Civilized nations protect their people under 18—they don't let them play around with a product which statistically kills one out of two of its permanent users.

Fifty per cent of young people who continue to smoke will die from tobacco related causes. Smoking causes 90% of lung cancers and 75% of bronchitis and emphysema. On average, tobacco kills 560 people every hour, 13,000 per day or 4.9 million per year. The World Health Organization reports that not a single country fully implements all key tobacco control measures. As a result, the World Health Organization outlines six MPOWER strategies that governments can adopt to prevent tens of millions of premature smoking deaths by the middle of this century.

The six MPOWER strategies are: monitor tobacco use and prevention policies; protect people from tobacco smoke; offer help to quit tobacco use; warn about the dangers of tobacco; enforce bans on tobacco advertising, promotion and sponsorship; and raise taxes on tobacco. In Canada, between 63% and 79% of the price of a package of cigarettes is tax. In comparison, the tax on cigarettes in New York is 38%. Unfortunately, governments around the world collect 500 times more money in tobacco taxes each year than they spend on anti-tobacco efforts.

The Canadian government has initiated many programs to try to lower rates of smoking in Canada. These include: encouraging Canadians to support smoke-free living; increasing product pricing through taxation; informing Canadians about the health effects of smoking and second-hand smoke; providing programs to support those who choose to quit smoking; reducing access to tobacco products by minors; and restricting tobacco product advertising and promotion.

• (1710)

Tobacco is a communicated disease, communicated through advertising which appeals to the psychological needs of adolescents, and sponsorship.

Many of Canada's leading cigarette brands are now sold in packs that imitate BlackBerries, cell phones and mp3 players. Making tobacco products look like everyday objects minimizes the harm associated with tobacco use and makes them socially desirable and trendy.

A 2002 study showed that tobacco companies use cigarette packaging as an integral component of marketing strategy and a vehicle for creating significant in-store presence and communicating brand image. Market testing results indicate that such imagery is so strong as to influence smokers' taste ratings of the same cigarettes when packaged differently.

I am pleased to support this bill and am encouraged that it is receiving strong support from anti-smoking and health groups. Rob Cunningham, senior policy analyst at the Canadian Cancer Society, said, "We are hopeful that MPs will adopt this bill quickly. It is a very important gain for us".

The bill bans flavoured cigarettes and cigarillos. One-third of youth and close to half of all young adults have tried cigarillos with flavours such as chocolate mint, peach, strawberry and vanilla. These products have as much or more nicotine as cigarettes, and are just as likely to trap young people into a deadly smoking addiction. They are also the fastest growing tobacco product on the Canadian market, with 53 million sold in 2001 and 400 million in 2007.

The bill will also ban tobacco companies from advertising in print publications, repealing an exception that currently allows advertising in publications with an adult readership of at least 85%.

If the bill is passed, the revised Tobacco Act would leave tobacco companies with only two possible ways to advertise: on signs in places where minors are prohibited and in publications that are delivered by mail to an adult.

It is my hope that the time has to come for sustained funding and political support. A recent study published in the *American Journal of Public Health* examined state tobacco prevention and cessation funding levels from 1995 to 2003 and found that the more states spent on these programs, the larger the declines they achieved in adult smoking. The researchers also calculated that if every state had funded its program at the levels recommended by the Centers for Disease Control during the period, there would have been between two million and seven million fewer smokers in the United States.

It is also my hope that the government will engage high level opinion leaders and high profile champions to help achieve the significant health and economic benefits of a reduction in tobacco use.

We must be vigilant in identifying and raising awareness about all new forms of tobacco products which industry continues to develop.

We must recognize that the tobacco industry obstructs effective tobacco control measures and continues to promote tobacco products through all possible means, including the entertainment industry, as traditional marketing is becoming more and more limited due to the ratification by 164 countries of the World Health Organization's Framework Convention on Tobacco Control.

*Government Orders*

Considerable research has suggested that youth are influenced to smoke by positive smoking portrayals in the movies, with celebrities serving as role models. A recent study in fact suggests that exposure to smoking portrayals in the media may be very important in prompting initiation among adolescents, whereas tobacco marketing may exert a specific influence on their progression to established smoking.

What steps will the government take to snuff out contraband tobacco, which accounts for 49% of cigarettes smoked in Canada, menthol cigarettes and smokeless tobacco?

Finally, when the next product emerges, and it will, let us take immediate steps to snuff it out.

• (1715)

**Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.):** Mr. Speaker, May 31 was World No Tobacco Day.

It is only fitting in light of the efforts of so many anti-smoking groups that we have this debate today on ways to prevent young people from becoming addicted to a product that kills thousands of Canadians every year.

I am proud to rise today and speak to proposed legislation that would amend the Tobacco Act and assist in protecting our young people from tobacco addictions while encouraging the tobacco industry to amend its marketing practices.

Recently I rose in this House to support a petition signed by several hundred of my constituents demanding that this Parliament take immediate action in amending the Tobacco Act. The petitioners were asking for changes to limit and restrict the marketing of tobacco products to minors.

Studies show that increased exposure to tobacco advertising has a significant impact on the decision by young people to start smoking or using tobacco products. We also know that 85% of all regular smokers started smoking before the age of 18.

It is fair to say that advertising and marketing efforts aimed at young people have been a contributor to the rising number of young people using tobacco products.

Recent research has shown us that following a reduction in tobacco advertising there has been a decrease in the number of young people who smoke. However, simply putting further restrictions on the advertising and marketing of tobacco products to young people will only go so far.

We know that tobacco use is responsible for killing approximately 37,000 Canadians every year.

The Liberal Party is supportive of this bill in principle. We believe this bill is a step in the right direction to protect Canadians, and youth in particular, from tobacco marketing.

Our position is that tobacco should not be marketed to young people and should not be advertised in any publications that could be viewed by those under 18 years of age.

We have seen an increased number of tobacco ads in daily newspapers and free entertainment weeklies that are more likely to be read by young people. We believe that prohibiting advertising in

all types of magazines and newspapers, regardless of their readership, is a necessary first step.

This bill would ensure that all Canadians, and youth in particular, would not be exposed to tobacco sales pitches. The limiting of advertising is a start, but I wonder if the government has considered the other factors at work here.

For example, some of the current marketing practices include using various flavours and additives that would make tobacco products more appealing to children and youth. We are seeing a growing number of tobacco products, ranging from mini cigars to blunt wraps, sheets or tubes of tobacco, that are available in flavours like grape, cherry, peach, banana-split and even tropical punch. We are also seeing tobacco companies include various additives such as vitamins, sugar and others that taste like candy to help mask the harshness of the tobacco and make it appeal to children and youth.

We are now aware of research findings from various sources, including documents from the tobacco companies themselves that show the addition of fruit and candy flavours to tobacco products makes them more appealing to young and new users. For the tobacco industry, this dramatically increases the appeal for young people to give tobacco a try.

• (1720)

Young people today are aware that cigarettes and tobacco products are highly addictive, and tobacco companies know this. Therefore, they must find new and innovative ways for young people to try them, despite being aware of the dangers. By adding flavours or other additives to increase the appeal of tobacco, it would seem that the tobacco industry is trying to increase the “try factor” and increase sales.

This brings me to my next point. Recent data shows that wholesale sales of little cigars has increased from 53 million units in 2001 to 403 million units in 2007, making them the fastest growing tobacco product on the Canadian market. This is quite alarming and needs to be addressed.

The availability of little cigars and blunt wraps in single or small quantities is one of the contributing factors. Unlike cigarettes, that must be sold in packages of 20, little cigars and blunt wraps are often sold individually and priced for as little as a dollar.

It is important to regulate the industry to create minimum quantities of tobacco products, so that the opportunity to price them low and make them more available to youth is no longer an option.

Bill C-32 would amend the Tobacco Act to extend a minimum quantity provision that exists for cigarettes and apply this to little cigars and blunt wraps, requiring them to be packaged in quantities of at least 20. We agree this change would limit or end the industry practice of selling these products in single or small quantities that are often more accessible and attractive to youth.

My next point is that the bill currently fails to address the concerns of contraband tobacco, which is an important source of supply for youth who decide to start smoking or using tobacco products and acquire them through illegal channels. The primary concern is that contraband tobacco products are cheap and easily accessible, and the bill does not address this issue.

There is a direct correlation between the rise in contraband consumption and the change of government in 2006. We had a strategy in place and a multi-pronged approach to deal with the problem. It appears the government has let the rate of contraband consumption grow to almost 33% nationally, 40% in Quebec and almost 50% in Ontario.

The Liberal health critic and my colleague from Etobicoke North have made very strong statements about this issue in the past. This legislation would be effective in limiting the sale and manufacture of specific types of tobacco in Canada, but in order to effectively reduce the consumption of tobacco by children, the legislation completely misses one primary point.

Kids are not able to purchase legal product and for them to access legal products, someone else must be breaking the law. As such, the legislation will have no impact on one very real problem. It is a well established fact that most teenagers gain access to tobacco from the illegal industry.

The issue of contraband tobacco sales affects several departments including Revenue, Public Safety, Justice, Indian Affairs and Northern Development, Health, Finance and Intergovernmental Affairs.

In making amendments to the Tobacco Act, it should be noted that the bill is a reasonable starting point but must include measures that control accessibility as well as enticement through clever marketing activities.

• (1725)

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I appreciate the opportunity to participate in this debate. It is an important subject and one that has touched all members. We also realize the extent to which the evidence is now in very clearly and emphatically with respect to the impact of tobacco on health.

I remember the first meeting I held of the premier's health council in 1990 and asking members around the table what was the one single thing I could do as premier to improve the public health of the province. The answer was simply to deal with the question of tobacco. If we can reduce tobacco consumption, access to tobacco by minors, the extent to which kids get hooked and the usage, then we have made progress.

We have made progress, both federally and provincially. We have done a lot to deal with the challenge, but we have two particular problems that we have to continue to deal with. This bill deals with one of them but it does not deal with the second one.

The first problem is the fact that, try as we may, we cannot convince the tobacco companies to get it. Unfortunately, we keep having to go back to the well each and every time to remind tobacco companies that they are dealing with a product which is bad for human health. It causes cancer and heart disease. It affects the health of each and every one of us and is something which needs to be dealt with in a most emphatic way.

This bill, in its own way, is intended to deal with tobacco companies directly luring young people into the consumption of alcohol. It is truly deplorable that tobacco companies are back at it again and we have to revisit this question. We should simply tell

them this door is going to close and keep on closing, that no matter how inventive they may try to be, we as parliamentarians are not going to do anything that will permit the sale and smoking of tobacco to be more attractive to people. We are simply not going to permit it or allow it to happen.

Liberals are fully supportive of the legislation. Mr. Speaker, I know you are about to stand and see the clock, but before you do, I want to introduce my next topic, and that is the question of price. The big issue which continues to affect the consumption of tobacco is price.

We can do all we want on ads, we can do all we want with respect to packaging, and we can do all we want with respect to the issues which have been raised by the government. It is an important step and I am not minimizing what is being proposed, but until we deal with the critical issues of price and contraband, we will not be dealing with the fact that there are still people selling green garbage bags full of cigarettes in the yards of our schools and giving kids—

• (1730)

**The Deputy Speaker:** Order. The hon. member for Toronto Centre will have 16 and a half minutes remaining the next time this bill is before the House.

[Translation]

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

[Translation]

### OFFICIAL LANGUAGES ACT

The House resumed from March 31 consideration of the motion that Bill C-307, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

**The Deputy Speaker:** Resuming debate.

The hon. Parliamentary Secretary to the Minister of Justice has seven minutes to finish his remarks.

**Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, it is a pleasure for me today to continue the speech I started last March 31 on Bill C-307, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts.

A new Official Languages Act came into force in 1988 to reflect and implement the provisions of the Canadian Charter of Rights and Freedoms.

*Private Members' Business*

The 1988 act reflected three major objectives of the Government of Canada. The government wanted to ensure respect for English and French as the official languages of Canada and also ensure equality of status and equal rights and privileges as to their use in federal institutions. The legislation reflected a desire to support the development of minority francophone and anglophone communities and foster progress toward the equal status and use of both English and French in Canadian society. It also specified the powers, obligations and roles of federal institutions in regard to the official languages.

This new law contained provisions as well in part VII on the promotion of English and French, which were strengthened by an amendment in 2005. This amendment reminded federal institutions of their responsibility to take positive action to support the development of official language communities and promote the full recognition and use of English and French in Canadian society. It is also very important that part VII of the act can now be used to take legal action before the appropriate authorities.

I want to remind the House that our caucus was unanimously in favour of this change. That helped the amendment enhancing the vitality of the English and French linguistic minority communities and supporting their development to pass. These changes to the law strengthened Canada's linguistic legislation. We were motivated then, and still are, by our conviction that federal institutions should assume their responsibilities and lead the way when it comes to promoting our official languages and linguistic duality throughout the country.

This description of the milestones in the recognition of French over the last few decades helps to show that a consensus exists in Canada on the official languages. Linguistic duality is an essential part of the Canadian identity and a tremendous benefit for all of society. Our government is very much in favour of this linguistic regime.

The provisions relating to linguistic duality do not contradict the charter of the French language, as some say. The charter of the French language applies fully in areas of provincial jurisdiction.

As regards the language used by the public, it is generally French in the province of Quebec and on the island of Montreal. In all, 94.5% of the population of Quebec know French. It is also in this province that anglophones have the greatest mastery of French, with 69% of them speaking it. Of the allophones, 50% speak both French and English along with another language. We may readily suppose that they use French regularly.

In our global economy and in a difficult economic climate, it is agreed that knowledge of a number of languages is an advantage. For individuals, it means enrichment, opening the door to whole cultural worlds. The ability to speak a number of languages also means greater employment opportunities, a benefit recognized by parents in Quebec, over 80% of whom want their children to learn at least the other official language, if not a third language.

Our government remains firmly committed to promoting and supporting the economic and social benefits our linguistic duality represents. Our government reiterated this support when it announced the *Roadmap for Canada's Linguistic Duality 2008-*

*2013: Acting for the Future* in June 2008. The roadmap consolidates, adapts and modernizes the government's actions with respect to official languages in order to ensure they produce real results.

Of course, Canadians and their government have come a considerable way in recent decades. Our government wants to focus on the considerable successes and progress in linguistic duality in order to take advantage of the growing mobilization of all players.

The roadmap defines the Government of Canada's comprehensive approach in official languages, while outlining our objectives and strategies. There were originally thirteen federal departments and agencies involved.

• (1735)

Since then, the Department of Indian and Northern Affairs has joined the group in order to meet the needs of communities in the territories. So now there are 14 departments working to implement the roadmap and our investment of \$1.1 billion.

We want as many Canadians as possible to have the opportunity to appreciate the French language and culture, an essential component of our country's character and identity. Major investments are made annually to this end.

By way of example, our government recently announced the details of the national translation program for book publishing. This program will help Canadian publishers translate Canadian-authored books into English and French. With this program, we want to give as many Canadians as possible access to the enormous wealth of our country's culture and literature.

The Official Languages Act celebrates 40 years this year. This anniversary is a real landmark in our history, since the Official Languages Act was an excellent initiative to affirm the rights of Canadians and give them new opportunities. This enshrined linguistic duality is now at the heart of Canada's identity.

Let us then use this 40th anniversary to make Canadians aware of the benefits of having two world-class official languages and make sure that this linguistic duality is a source of pride throughout the country.

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, it is an honour for me to speak on this bill, which I will be voting against.

History is repeating itself in this House. In 2008, the Bloc Québécois introduced a motion in this House, which read as follows:

That, in the opinion of the House, following the recognition of the Quebec nation by this House, the government should move from words to deeds and propose measures to solidify that recognition, including compliance with the language of labour relations of Quebec's Charter of the French language regarding enterprises under federal jurisdiction located in Quebec.

That was in 2008. Now we have Bill C-307, which is far broader than the motion I have just read. As a federalist, a Canadian and a friend of the Official Languages Act, I am opposed to many aspects of Bill C-307.

*Private Members' Business*

There are four major points in this bill that are of great concern to me. First, it implies that the French language is in decline in Quebec. Second, there is the matter of what goes on in federally regulated institutions in Quebec. Third, are they thinking about the anglophone minority population of Quebec? Fourth, and most important to me as a representative of the Acadian people, of the French speaking people in a country with linguistic duality, there is the Official Languages Act.

Should this bill become the law of the land, what would happen to the francophone minority Acadian populations in New Brunswick, in Nova Scotia, in Prince Edward Island? What will happen to the French speaking minority populations in Saint-Boniface, Manitoba, for instance? To the francophones on the Ontario side of the Ottawa River? To the people who attend the Collège Saint-Jean d'Edmonton in Alberta? What will happen to the people of Gravelbourg, Saskatchewan?

When I sat on this Parliament's Standing Committee on Official Languages, I was amazed to learn that there were 50,000 francophones in Vancouver, B.C. What would happen to them if Bill C-307 were adopted? This worries me somewhat.

In her speech, my friend and colleague from LaSalle—Émard said that the Bloc clearly lacked solidarity with the Canadian Francophonie, and in this case, that is true. It is true because this bill would be very problematic for Acadians, for example.

• (1740)

If all federal institutions were to be subject to Quebec's Charter of the French Language, then why not have a Charter of the English Language in other provinces with minority francophone populations?

[English]

Why could we not then have an English language charter in a province where there is a francophone minority? What if, in the province of New Brunswick, a government said that the province shall have an English language charter and that English shall be the language of all federal institutions in the province of New Brunswick?

In the history of New Brunswick, there have been riots over political events, hockey victories and defeats, and over quotas for fisheries in parts of our province. One would never see a riot such as there would be if such a law were brought into the province of New Brunswick. It is because I live in a country that respects two languages, two languages under the Official Languages Act that are of equal value and merit, that I so strongly oppose this bill.

[Translation]

The Bloc has falsely stated that the French language is undergoing a catastrophic decline in Quebec. However, the 2006 census and the report of the Office québécois de la langue française, both published in 2008, suggest otherwise. It is not true that the French language is undergoing a catastrophic decline in Quebec. In Quebec, the French language is alive and well, and Quebec's culture is alive and well, thanks in part to the presence of federal institutions that protect the country's two official languages.

[English]

It is important to note that Statistics Canada says that the number of people who speak French as their mother tongue increased 1.6% between 2001 and 2006. There have been other increases in the quality and number of French speakers throughout this country. Evidence that bilingualism is one of Canada's core values is so evident in surveys conducted on Canadians by Canadians. It is the very essence of what we are as Canadians.

I want to move on to the question of what happens to federal companies and institutions that are situated in the province of Quebec. In the past, words have been used against the Official Languages Act. The real meaning of what a federal institution is or what a federal company is has come into play throughout this debate. The bill's main result would see that the Canada Labour Code would be amended so that companies operating in Quebec but under federal jurisdiction would be subject to la Charte de la langue française, a provincial charter.

The Bloc is trying to impose la Charte de la langue française on companies under federal jurisdiction under what it would call a regulatory vacuum. Clause 34 in part 5 of the Official Languages Act states:

English and French are the languages of work in all federal institutions, and officers and employees of all federal institutions have the right to use either official language in accordance with this Part.

What is meant by that is that Canada is a bilingual country. We have the protection of the Official Languages Act. The party on this side has always stood for the core value that we are a bilingual country protected by the Charter of Rights and Freedoms and the Official Languages Act. It has not always been the case that all parties in this place have thought of the country this way. We think it is a core value and we think it is worth fighting for.

We must stop this bill so that we will not see any riots in any parts of New Brunswick or other provinces in Canada over something as fundamental as taking away the guarantee of bilingual rights in our great country.

• (1745)

[Translation]

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I rise to speak to this private member's bill. I must say that, in the House, I have been very critical of the Bloc in the past. Its option is not at all in the interest of the francophone presence in North America. Indeed, the Bloc's approach has often left Quebec less united around a blueprint for society shared by progressives in Canada. In this case, I find it perfectly normal to have a bill that ensures French may be used in the workplace.

The NDP supports this bill, and it is quite simple. As a federalist party, we say it is important to acknowledge the French fact in Quebec. It is important, as we have done in Parliament, to recognize the Quebec nation. And in Quebec, people should be able to use French in the workplace.

*Private Members' Business*

I lived in Quebec for 14 years and am very proud of that. At the start of my life in Quebec, I was a unilingual anglophone. However, I always had access to services in my mother tongue, regardless of where I was in Quebec, be it in the Saguenay—Lac-Saint-Jean region, in metropolitan Quebec City, in the Eastern Townships, in Montreal, in the greater Montreal area or even in the Outaouais. In all these areas, I had access to services in my mother tongue. That is important. It is an important but little known aspect of Quebec. Often, people speak more of what is missing in the anglophone community. It is true that the services could be improved, especially in the health care and social services network, but still the availability of services is very important.

I then returned to the province where I was born, British Columbia, which is home. I adore this province. There is an ever-growing francophone presence there. Some cities even qualify as bilingual according to the Official Languages Act. The francophone presence is increasing not only in absolute numbers but also as a percentage of the population. That is important. Unlike the process of assimilation feared in some provinces, we have this francophone presence in British Columbia.

I am proud that it was an NDP government that brought about the establishment of a whole educational network in French in British Columbia. There are dozens and dozens of schools now. They welcome francophones of all origins, not only francophones from Quebec, Acadie or western Canada. People talk about a sort of rainbow francophonie, which comprises francophones from Africa, Europe, Asia and all the former French colonies, from all countries using French. All these people live in greater Vancouver. Now, people have access to this school system established by a New Democrat government. That said, there remains work to be done in British Columbia.

However, I cannot imagine a situation in which people would not have the right and opportunity, in their workplace, to communicate with their employer and access information in English. That is exactly what Bill C-307 is doing for French. It means that francophones in Quebec, in their workplace, can access information and read their collective agreement in French, in the ordinary course of things, and ensure that they have full rights in their workplace in French. That is perfectly reasonable. It is not surprising, and it is nothing out of the ordinary. It is perfectly reasonable.

• (1750)

Some may say that this is already the case in Quebec, that people can work in French and people who live in French in Quebec have no problem working in French. Certainly, in some cases, companies under federal jurisdiction have arranged for people to be able to work in French in their workplaces. But it is not the case in every situation.

That is why this bill has been introduced. What it is intended to do is to require that companies under federal law, be they Canadian or foreign, allow their employees to work in French. That is nothing out of the ordinary; it is perfectly reasonable. Canadians think that a measure that allows people to work in French in a francophone community is fair. That is also why the Quebec nation was recognized in Parliament, so that people could work in their own

language, as I am allowed to work in my own language in British Columbia.

The question is how this bill will affect the Official Languages Act. The problem is that at present, the Conservative government, like the previous Liberal government, is not enforcing the laws already in place. The Commissioner of Official Languages reminds us every year that we still have a long way to go before all of the symbolic measures in the Official Languages Act become part of everyday reality. People need to be able to access services in French and English, regardless of where they live in Canada, where numbers warrant. We are engaged in a project that we must continually improve. There are still problems to be solved with the existing legislation, so that reality reflects what is written in the law.

Because there is still work to be done, I believe it is important for members from all four parties to work together to ensure that an anglophone can feel as much at home in Saguenay—Lac-Saint-Jean, and a francophone can feel as much at home on Vancouver Island, in northern Saskatchewan or elsewhere in Canada, as I felt in the Kingdom of the Saguenay 20 years ago.

The NDP has always been active in this issue. I mentioned British Columbia a minute ago. It was a New Democrat government that established the francophone school system in that province. And not just in British Columbia—it was the NDP government that established the francophone school system in Saskatchewan as well. It was also a New Democrat government in Manitoba that made sure that Franco-Manitobans there have more rights now. In Yukon, it was again a New Democrat government that brought in the Official Languages Act to give the French language status. The New Democrat government of Ontario was also a good government, although it was unfortunately led by a Liberal. Nonetheless, it established a French-language college system in Ontario.

What about the government? It has to put its money where its mouth is to advance the cause of francophones and of language equality in Canada. That is why we support this bill.

• (1755)

**Mr. Richard Nadeau (Gatineau, BQ):** Mr. Speaker, I am sure that you will agree with me, or at least you will do after my speech, in my support of Bill C-307. This bill amends the Official Languages Act to recognize that the Charter of the French Language has precedence in Quebec.

In November 2006 in this House, all the members of the Bloc Québécois, all the members of the Conservative Party, all the members of the New Democratic Party, and almost all the Liberal members, except for 16, recognized the Quebec nation for the first time in history in the House of Commons, as it had been recognized on many occasions in the National Assembly of Quebec.

*Private Members' Business*

Once it has been said and recognized that Quebec is a nation, Quebec is entitled to the tools that determine, define and guarantee its long-term survival. The Quebec nation makes up about two percent of the population of North America. It is a nation whose ethnolinguistic critical mass is French-speaking. The common public language in Quebec is French. However French finds itself in an anglophone ocean, comprised of Canada as well as the United States of America.

I was listening to my colleague from Moncton—Riverview—Dieppe, the former mayor of Moncton, asking why the other provinces should not protect their English language. Apart from New Brunswick, all the other provinces are de facto anglophone. English is not in danger of disappearing in North America. The history of the Quebec nation is a perpetual struggle to ensure that the French fact is firmly established even in its home, which is Quebec.

We have lived through extremely difficult times in the history of Quebec. One need only think of the struggle of the Patriotes, in 1837 and 1838, when the Lower Canadians of the time melted down their forks to make bullets to fight the British empire, the largest empire of the era. We know the outcome. We were given the recipe for democracy, but not democracy itself. They wanted to take that democracy from us.

In 1848, eight years after Lord Durham's affront in saying that we had to be assimilated—that everything to do with the French language in the British empire in North America had to be assimilated—we rose up in opposition. The purpose of the Act of Union of 1840 was to assimilate us, that is, to bring about our ethnolinguistic disappearance as a nation and make us a pale reflection of the dominant culture by stripping us of all rights to maintain our cultural identity. The French fact was in danger.

In 1848, Lord Elgin agreed to democracy once he realized that more immigrants could settle in the French part of North America, ensuring the ever-increasing demographic submergence of the French fact. In 1848, what is now francophone Quebec was bigger in numbers, but had to have the same number of members of Parliament as Canada West, which was Ontario. And yet there were more of us and we should have had more MPs.

● (1800)

When they saw we were becoming a minority—and this was the Canada of today in embryo form—they applied the principle of representation by population because it made it easier to assimilate us. So that is Canada.

If Quebec does not take charge of its future, does not defend itself with legislation ensuring the survival of its language and culture, no one else will do it. English Canada is even going to make sure it crushes us. It did so in New Brunswick by abolishing French schools in 1873. It did so in Manitoba by abolishing French schools in 1890. It was only in 1979, thanks to a court challenge by George Forest, that Manitoba was able to recover its credentials as a francophone province, as it was in 1870 with Louis Riel. The Conservatives of the day in the House found a way to hang Riel, in large part because he was a defender of the French fact in western Canada. He defended his Métis brothers and his francophone brothers.

In my home province of Ontario, French schools were abolished in 1912. In 1893, French schools were banned in Saskatchewan, part of the Northwest Territories at the time. This was repeated in 1931 and in 1988, the government of Grant Devine, known well to some in this House as a colleague in their province, even abolished services in French. This has happened three times in history. Now imagine what would happen if Quebec abolished English schools. Not that I want that to happen, but if it did, tanks would be sent into Quebec rather than Afghanistan. They respect neither Quebecers nor the French language. For Canada, we are a people to be assimilated bit by bit.

Quebec has risen. The perpetuity of the French fact is up to Quebecers alone. The purpose of Bill C-307 is to ensure that my colleagues, my fellow working men and women of Quebec, will be able to work in their French language in areas under federal jurisdiction. A bill must be introduced to defend ourselves. It is being turned down here. This is one more piece of evidence that, with the exception of the NDP, when they agree to recognize the Quebec nation, it is nothing but a smokescreen, a smoke and mirrors trick. Once again, this shows Canada's lack of respect for Quebec.

I am a Franco-Ontarian who has lived in Saskatchewan. I went to Saskatchewan to fight for French schools that were abolished in 1931. They were reinstated in 1995. For 64 years, there were no French schools, and then we went from 63 to 8 French schools. Even today the rate of assimilation among youth 15 to 25 years of age is more than 85% in this province. Why? Because the institutions that would ensure the survival of the French fact were abolished.

Quebec is in the minority in North America. Quebec must protect itself against Canada. I heard the members for LaSalle—Émard, Moncton—Riverview—Dieppe and the Conservative member for Charlesbourg—Haute-Saint-Charles say that there is no respect for French-language minorities. Quebec is entitled to its vision of society. Those people are afraid of Canada. They say that if Quebec were to become sovereign, they would no longer have the critical mass to protect themselves. Quebec has been there for four centuries. That did not prevent the federal government from closing its eyes when the provinces abolished our schools, our French services, hung our Patriotes and hung Louis Riel. That is Canada's attitude towards the French fact.

Bill C-307 seeks to protect my Quebec colleagues, to allow them to work in their language and to ensure that the French culture and language will be part of all aspects of daily life.

We do not want Quebec to suffer the same fate visited on my brothers and sisters in predominantly English provinces by English Canada.

● (1805)

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, as part of this debate on Bill C-307, if I may, I would like to speak to my colleagues about how important the influence of the French language in Canada and the world is to the government, and what the Canadian government is doing in this respect.

*Private Members' Business*

I would first like to say that, if this bill passes, its enforcement would set a major precedent in the history of Canada. Certain provinces could simply enforce restrictive language laws within their borders, laws that would probably not promote the use of French, my mother tongue, in circumstance in which that language is the minority.

Once again trapped by their own secessionist ideology, the members of the third party are thinking only of their own parochial interests, while completely disregarding those of francophones in minority communities in every part of this country.

[English]

Canada's official languages policy and the status that it confers on the French language are part of the very nature of our country. This policy is a reflection of the desire of English-speaking and French-speaking Canadians in every corner of the country to live together and is a sort of social contract between our two major linguistic communities. The government that I support in the House strongly defends these founding principles of Canada.

• (1810)

[Translation]

Since the beginning of the Canadian federation 142 years ago, linguistic duality has been one of the foundations of our country and is of ever greater benefit to this country and its citizens. My Quebec cousins join me in supporting this linguistic duality.

The government that I support in this House is firmly committed to supporting our official languages and the promotion of English and French, both in Quebec and in the rest of Canada. Its *Roadmap for Canada's Linguistic Duality 2008-2013: Acting for the Future* is clear proof of that commitment.

First of all, as the Prime Minister has said on many occasions, we cannot forget that Canada was French before it was English, when it was founded 400 years ago.

French was spoken on both sides of the Ottawa River before Molière was even born. Samuel de Champlain travelled very close to here on June 4, 396 years ago. That is the day he baptized the Rideau Falls and the Chaudière Falls. Even better than the language of Molière, the language of Rabelais is at the heart of Canada, its history and my identity.

As it says in Psalm 72, verse 8, *A Mari usque ad Mare. D'un océan à l'autre*. From sea to sea.

Last October, the 12th Sommet de la francophonie took place in Quebec City. Our government was very pleased to have the opportunity to work with Quebec in strengthening the presence of the French language and culture internationally.

That summit provided Canada with a unique opportunity to promote a strong and diversified Canadian francophonie. The event brought together on Canadian soil the heads of state and of government of all the countries of the Francophonie.

I remember; *je me souviens*.

Canada is a beacon as far as supporting the dissemination and promotion of the French language are concerned. Moreover, we

made the effort to ensure that francophones from all parts of Canada had a presence in the activities surrounding the summit.

[English]

The lasting support of the summit shows how committed this government is to ensuring not only that Canada's francophone aspect is fully represented on the international stage, but also that Canada as a whole benefits from the fantastic advantages of having French as one of its official languages.

[Translation]

Spoken by more than 200 million people, French is an official language in 29 countries. Canada is very aware of the importance of its French fact and is determined to help it shine on the international stage. Canada was one of the first countries, therefore, to promote the Francophonie by participating actively in the creation and development of its numerous institutions.

The Government of Canada is the second largest provider of funds after France, with a contribution of more than \$40 million a year for the International Organization of the Francophonie and francophone institutions.

I must also point out that the Francophonie was a major contributor to the adoption of a convention by the United Nations Organization for Education, Science and Culture—UNESCO—to make cultural diversity an inescapable frame of reference. As we know, this convention formally recognizes, in international law, the fact that cultural goods are different from other goods.

That is why the Canadian government wants to work to promote the French language in the context of a unifying, inclusive and respectful vision of all the francophone realities of our country.

Our approach aims to create a francophone space to connect the francophones of Quebec and those from minority communities, as well as francophiles from every cultural origin. There are a number of ways to achieve this, but the cultural sector is definitely a preferred option in this respect.

[English]

We know, of course, that Canada's arts and culture policies generously support the cultural development of French-speaking Canadians in Quebec and everywhere in Canada. That is how we support the distribution of Canadian cultural products to foster a better understanding of French language artistic and cultural production from across the country.

[Translation]

This can help create closer ties between francophones in Quebec and their cousins in minority communities and between the country's francophones and francophiles.

Heightened visibility of French also makes all Canadians more aware of our country's linguistic duality.

So whether the purpose is to strengthen the French fact at the international level or within the country, the Government of Canada and the governments of Quebec, New Brunswick, Ontario and the other provinces are going to have to work together increasingly closely to strengthen ties between francophones and francophiles here and elsewhere, to promote the establishment of sound partnerships, and to generate concerted and effective measures, which means ensuring that their respective actions complement each other.

• (1815)

[English]

I have just given a few examples of the federal government's broad support for the French language and its vitality in Canada, including in Quebec and abroad.

[Translation]

The government's support and initiatives have taken place within the current language policy framework, which proves that the equality of status of the two official languages in no way prevents the federal government from working hard to strengthen the French fact in Canada.

The supporters of Bill C-307 have completely failed to demonstrate how Canada's linguistic regime represents a barrier to the full use of French in Quebec and why it would be necessary to make the proposed legislative amendments to secure the future of French in that province.

Consequently, the government considers Bill C-307 unwarranted, and we will oppose its passage.

\* \* \*

[English]

#### BUSINESS OF THE HOUSE

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, my apologies for interrupting the debate but there have been consultations and discussions between all parties and I think if you were to seek it you would find unanimous consent for the following motion. I move:

That, notwithstanding any Standing Order or usual practice of the House, on Wednesday, June 3, Statements by Ministers, pursuant to Standing Order 33, shall take place at the expiry of the time provided for Oral Questions followed by a moment of silence; any recorded division previously deferred to Wednesday, June 3, shall be taken up at the end of the moment of silence provided that the time taken for the ministerial statement and the deferred recorded divisions shall be added to the time provided for Government Orders; and, notwithstanding Standing Order 30(7), Private Members' Business shall begin no later than 7:00 p.m.

**The Acting Speaker (Mr. Barry Devolin):** Does the hon. Government House leader have the unanimous consent of the House to move the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Barry Devolin):** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

#### Private Members' Business

[Translation]

#### OFFICIAL LANGUAGES ACT

The House resumed consideration of the motion that Bill C-307, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, in a few hours the House of Commons will make its decision on Bill C-307, which I introduced. If it passes, it will ensure that Bill 101 is respected in Quebec, even in federally regulated companies covered by the Canada Labour Code. We are referring here to banks, airports, telecommunications companies and Canada Post. We are not referring by any means to federal government departments or services.

The hon. member for LaSalle—Émard did not read my bill at all and did not understand it. Because of her Trudeau- and Chrétien-like ideology, she distorted what the bill was about. She said the Bloc claims the bill does not talk about federally regulated companies but rather federal institutions, which means the Charter of the French Language would apply to federal undertakings. She implied that government departments would be affected. What we are talking about though are banks—like the Bank of Montreal and the Bank of Nova Scotia—Montreal airport or the CBC, federally regulated undertakings.

At the present time, some 250,000 workers are not covered by the Charter of the French Language, that is to say, they do not have the right to work in French and are often forced to work in English simply because their superiors force it on them, even though there is absolutely no need for it in serving customers. The Official Languages Commissioner recently criticized this state of affairs in airports all across Canada. It is the case in Quebec too.

It is totally unacceptable that these workers do not have the same rights as all other workers in Quebec and are deprived of the perfectly legitimate right to work in their own language, the language of the Quebec nation, a nation that the House has recognized. The House should have no problem at all, therefore, passing this bill so that not only the Quebec nation is recognized but also the fact that this nation has only one official language: French.

We know where the Conservatives stand; the speech we just heard made that all too clear. Right after the motion was passed in November 2006, the Minister of Foreign Affairs said that it had no legal implications. We know where the Prime Minister stands. We know that he tried to dismantle Bill 101 and the Charter of the French Language before he became the Conservative Party leader. Quebecers know what to expect. The party's recognition of the Quebec nation was driven by political opportunism.

Now we are wondering about the Liberal Party of Canada and its new leader. Will the party demonstrate the openness that the Leader of the Opposition referred to when he said that he was the first federalist politician in Ottawa to recognize the Quebec nation? We know that that is why the delegates at the Liberal convention chose the member for Saint-Laurent—Cartierville instead of him. Tomorrow afternoon we will know for sure whether he was sincere. He will have a choice to make.

*Adjournment Proceedings*

Either his recognition of the Quebec nation is exactly the same as that of the Conservatives, the Prime Minister and the Minister of Foreign Affairs, or we are really witnessing a break with the Liberal Party of Canada's tradition of strong-arm tactics. We will never forget the unilateral patriation of the Constitution, the repeated attacks on Bill 101 and the sponsorship scandal. Tomorrow, the leader of the Liberal Party of Canada, the Leader of the Opposition, will show his true colours. If he votes against this bill, Quebecers will know that he is cut from the same cloth as the other federalists who never really wanted to recognize the Quebec nation—not just the Conservatives, but Pierre Elliott Trudeau and Jean Chrétien too.

This is extremely important. I would urge all Quebecers to pay close attention to the vote. He must not try to slip away. He has to be here, and he has to vote. His true colours will finally show.

• (1820)

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Barry Devolin):** 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 (Mr. Barry Devolin):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Barry Devolin):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Barry Devolin):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Barry Devolin):** Pursuant to Standing Order 93, the division stands deferred until Wednesday, June 3, 2009, immediately before the time provided for private members' business.

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#### MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Barry Devolin):** I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following public bill to which the concurrence of the House is desired: Bill S-217, An Act respecting a National Philanthropy Day.

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## ADJOURNMENT PROCEEDINGS

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

[*Translation*]

#### CULTURE

**Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, I am here because I asked a question on March 9, 2009 and did not receive a satisfactory answer.

A colleague is telling me that it is nothing new. There is usually someone who tells me that I will not be given anything more this evening. I am basically an optimist and I believe in democracy. I believe that the Conservative government is capable of giving satisfactory answers.

I have asked several questions in the House. I often come back to the issue of exports related to the arts and artists, particularly performing arts. I often get the same answers.

The parliamentary secretary even complains that it is like being in the movie *Groundhog Day*. I would like to say to him once again, because they repeat the same things over and over in that movie, that the main character had to answer the questions properly, behave appropriately and do things differently in order to move forward. This also applies to this evening.

I am going to put my questions again, somewhat differently. I will put forward a new argument and hope that he will answer me properly. I will even slip him the answer. His answer has to be that his government will reinstate funding for the cultural and artistic programs cut in August. That is the response I want to hear and, until I get that answer, I will keep on asking questions.

In March, the parliamentary secretary told me in this House that \$13 million had been given out by his government to the Canada Council for investment in international promotion. The \$13 million he was talking about was not the same \$13 million.

I refer to a letter from CINARS, the international exchange for the performing arts. Alain Paré wrote this to the minister on April 30.

As discussed at our meeting, the amounts invested directly in the agencies (in 2007-08: \$4.8 million in the *PromArt* program and \$2 million in the program *Trade Routes*)—

That amounts to \$7 million. I want to underscore the intellectual honesty of Alain Paré, who signed the letter and referred to the sum of \$2 million for Trade Routes. This program represented \$7.2 million.

However, \$5 million was intended for the officials the department sent throughout the world. It is really \$2 million that the artists need.

He wrote as well that these sums should be reinvested immediately in the budget of the Canada Council for programs meeting similar objectives.

What I am about to say is very important. As concerns the performing arts, the funds currently available at the Canada Council are for international touring grant programs: dance touring grants; international touring assistance in music; theatre international program—component 4: touring export; integrated arts program, touring grants; and international development grants.

That makes a total of \$2.163 million. That is a long way from the \$7 million cut.

*Adjournment Proceedings*

Clearly, these programs do not currently have enough funds to respond to the hundreds of applications now submitted to them.

•(1825)

[*English*]

**Mr. Dean Del Mastro (Parliamentary Secretary to the Minister of Canadian Heritage, CPC):** Mr. Speaker, it is once again a pleasure to be here for the adjournment proceedings, for a question that deals with issues that the member has in fact received the answer to a great many times.

The member talked about programs and she likes to talk about cuts, but she never talks about investments that the Bloc voted against, substantial investments like the increase to the Canada Council for the Arts, like the new investment under the economic action plan that put hundreds of millions of new dollars into the arts in this country, and that member voted against it.

What is more, when the Bloc came forward with ideas for a stimulus package, it actually never mentioned anything about artists at all, but every day here we are. I said last week that it is like *Groundhog Day* here. Every day I wake up and I feel like the alarm clock is playing the same song and I get the same question. I provide the same answer which is a truthful answer.

The member heard the same from the deputy minister of the department who is not an employee of the government. She actually works in the department and serves all Canadians in a position representing Canadians, not in a position reporting as a member of the government. The deputy minister had no reason to mislead the member nor the House.

The deputy minister was very clear when she reported to the standing committee, of which the member is a part, specifically she mentioned trade routes. It was a \$7 million program, but only \$2 million went to artists and \$5 million was waste. The member keeps coming back and says, “We want you to waste money. If you don't reinstitute a program that wastes money, we're just going to keep asking the question until you as a government wastes money”.

I do not really want to waste money. That is terrible that the member would come in and talk every day and suggest that we would waste money.

What really bothers me is that artists have become wedge politics for the Bloc Québécois. It really bothers me because they are not wedge politics. They are people. They are passionate people. They care about their work. They care about what they do. They feel it in their heart and their soul, and they should not be wedge politics. They should not be a political football that gets kicked around the House two or three nights a week because we have been pretty clear on this.

What I can say is that no government in history has ever put more money into supporting Canadian arts and culture in this country. That is clear. The member knows that, but she comes back every week and she kicks that football and she plays with the hearts and minds of artists from across the country. She makes them a political wedge issue. That is awful.

It is *Groundhog Day* here again and the funny thing is that this morning I was in my car and I saw a groundhog. This morning the

director of parliamentary affairs for the department called me and said, “I see a groundhog, so that probably means you will be back”.

It is *Groundhog Day* again. Here we are: same question, same answer. A truthful answer that no government in history has ever put more money behind the arts. No government in history has ever given more money to the Canada Council for the Arts than this government. The party that voted against those record funds is the Bloc Québécois which is playing wedge politics with artists.

•(1830)

[*Translation*]

**Mrs. Carole Lavallée:** Mr. Speaker, most of what the Parliamentary Secretary to the Minister of Canadian Heritage says makes no sense. That is why I have to keep bringing up the same issues.

For example, he said that his government has invested more than ever in arts and culture. He may have invested more than ever in Canadian Heritage, but he also invested \$25 million in the Canada Prizes in Toronto, prizes that nobody wants, except for a couple of guys in Toronto. Nobody wants that \$25 million investment. It is a bad investment. This government is making bad investment choices because it does not understand how things work.

It transferred \$24 million that was supposed to be for artists to the Olympic torch relay. That is what his minister said right here in the House. This government's priorities do not make sense.

Then there is the Bloc Québécois' economic stimulus plan. It was in the Bloc Québécois' first economic stimulus plan. We asked for funding to be restored to programs that were cut. That was in November 2008. He should take a look. When he looks at plan number two, he will see that what was proposed were short-term measures, not the kind of long-term measures we need for culture.

[*English*]

**Mr. Dean Del Mastro:** Mr. Speaker, that is interesting. The hon. member says we are putting money into the wrong places. Certainly in Quebec and Montreal there are ridings that receive the most money and that is where we are putting money. She should mention that to the leader of the Bloc Québécois because his riding received over \$20 million in support from this department. That is where the money is going. I am really surprised to hear the member say that we should not be putting money into the riding of the leader of the Bloc Québécois because I think he would be really disappointed to hear that.

We have put an awful lot of money into the arts. We have expanded the Canada Council for the Arts and, for example, the endowment incentive program. The member mentioned how artists are struggling. We put more money behind that so Les Grands Ballets of Montreal now receives three times as much money from the endowment incentive program as it received under the Liberal Party in 2004-05. That is getting it done.

*Adjournment Proceedings*

## ABORIGINAL AFFAIRS

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I rise in the House today to raise a question again in follow-up to a question that I put to the Minister of Health on April 2. That question related to what action Health Canada had taken to address the incidents of cancer in a northern aboriginal community in Alberta, Fort Chipewyan. The reply was very unsatisfactory, generally along the lines that a lot of money had been spent on aboriginals and health in Canada, so what was my complaint.

I hope I might get a more satisfactory reply today. Why am I doing this? As a member of the Standing Committee on the Environment and Sustainable Development, our committee travelled to Alberta several weeks ago. We travelled directly to the community of Fort Chipewyan, where we heard directly from the persons about whom Dr. John O'Connor raised concerns. That community repeated its concerns to our committee with regard to the incidents of cancer and the pollutants that came from the tar sands and other facilities.

We also held hearings in Edmonton, where we heard testimony from scientists who revealed their recent study showing that the air emissions from the tar sands facilities were likely contaminating the rivers. They were concerned that the ponds were already leaching into the river and that there was evidence that there was already a problem.

My concern is that Health Canada appears to have disappeared from the scene. The only role to date that Health Canada appears to have played in its responsibility in watching out for and speaking up for the health concerns of the first nation peoples in northern Alberta, which is its constitutional responsibility, is to simply file complaints against the very doctor who simply revealed that he had concerns.

Therefore, my question in the House was this. Was Health Canada willing to finally withdraw the final charge that it had filed with the College of Physicians and Surgeons of Alberta? The other four charges had already been investigated and dropped for no evidence.

I am also looking forward to hearing, given the evidence that we have heard in the parliamentary committee, if Health Canada is now going to step up to the plate. Is it willing to invest dollars in looking into whether there are potential relationships between these health incidents of the first nations peoples of northern Alberta and industrial activities that the federal government regulate? Is it going to go to DFO and to Environment Canada and ask them to do more intensive monitoring to discover if there is a connection to the pollution?

I look forward to a more detailed reply by Health Canada as to whether it is going to investigate the matter further.

• (1835)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I rise to answer this question further and to let the member know that we are fully aware of the mandate of Health Canada and of the Minister of Health.

The issue she raises is very complex and goes far beyond the mandate of any one government department. Going forward from here will involve a close partnership between Health Canada, Environment Canada, Alberta Health Services, the Government of Alberta and the town of Fort Chipewyan itself.

Health Canada's concern is for the health and well-being of the people of Fort Chipewyan. That is why when concerns about cancer rates were brought to the attention of Health Canada's medical officer of health in Alberta, Health Canada immediately contacted Alberta Health and Wellness to request that a field epidemiologist investigate these concerns.

Health Canada worked with the Alberta Cancer Board and the Northern Lights Regional Health Authority to investigate the community's concerns. It was as a result of this intervention that the Alberta Cancer Board undertook a study of cancer rates in this community between the years 1995 and 2006.

In early 2009 the Alberta Cancer Board released its peer reviewed comprehensive cancer incidence report. The report concludes in brief: the observed cases of cholangiocarcinoma and colon cancer during the period of investigation between 1995 and 2006 are within the expected range of cancer occurrence; the number of cancer cases overall was higher than expected; these increases were based on a small number of cases and could be due to chance or increased detection; the increased number of cases of cancers warrants closer monitoring of cancer occurrences in Fort Chipewyan in the coming years; further investigation is required to evaluate if there is a risk posed by living in Fort Chipewyan.

Health Canada accepts these conclusions. Our department has supported and will continue to support a range of investigations related to concerns in the community of Fort Chipewyan and the recommendations of the Alberta Cancer Board report.

Health Canada's commitment to the people of Fort Chipewyan goes back nearly five decades. In that time Health Canada has provided significant human and financial resources to the community. We continue to work with them and with the province of Alberta to improve and protect the health of the population.

Health Canada's concern is for the health and well-being of the people of Fort Chipewyan. We should not and we will not be distracted from the essential work we need to do with this community.

This is Health Canada's mandate. This is the only focus of our efforts in Fort Chipewyan.

Just four weeks ago, Health Canada joined Alberta Health and Wellness and Alberta Aboriginal Relations in Fort Chipewyan for a meeting with the Nune Health Board Society and community leaders. This was a very positive and productive meeting. All parties agreed to move forward together to better understand and meet the needs of this community, with the commitment to continue face to face meetings on a regular basis.

This is where we can best serve the community, on the ground in the community in close collaboration with the people who live there.

**Ms. Linda Duncan:** Mr. Speaker, I appreciate the more fulsome reply. It is gratifying that the second time around we get a better reply on what has gone on.

Regrettably, the action taken by Health Canada was only expedited by the interventions of private doctors and first nations peoples themselves.

Now that the issue has come out in the open, now that it is before the parliamentary committee, now that we have heard testimony, and we will hear testimony from Dr. O'Connor in the next couple of weeks, I am hopeful that Health Canada will step up to the plate and actually come forward with a fulsome budget to support independent epidemiological work in the area in an expeditious manner before any more unfortunate impacts occur.

• (1840)

**Mr. Colin Carrie:** Mr. Speaker, I would like to let the member know that Health Canada is committed to this community. She mentioned in her question at the beginning about the physicians' complaints. I would like to let her know that Health Canada's physicians, like all physicians in the country, have a professional obligation to consult the regulatory body when they have concerns about the conduct of their peers

*Adjournment Proceedings*

The College of Physicians and Surgeons of Alberta has not concluded its investigation nor has it released its finding regarding complaints made by Health Canada physicians. These findings are expected shortly.

Health Canada respects the authority of the college to investigate and to rule on this complaint without the interference of the House of Commons.

I am encouraged to work together with the member. The health of this community is very important to all members of the House.

**The Acting Speaker (Mr. Barry Devolin):** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:41 p.m.)

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