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Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

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Prayers

GOVERNMENT ORDERS

[*English*]

YUKON SURFACE RIGHTS BOARD ACT

The House resumed from November 24 consideration of the motion that Bill C-55, an act to establish a board having jurisdiction concerning disputes respecting surface rights in respect of land in Yukon territory and to amend other acts in relation thereto, be read the third time and passed.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, I am pleased to rise today to address Bill C-55. The function of the board will be to resolve disputes between parties concerning surface rights and access to subsurface rights.

As the House knows, this bill is linked to two previous bills passed—let me rephrase that, rammed through this Chamber—that dealt with land claims and self-government agreements in Yukon.

Unfortunately, the passage of Bill C-55 will allow these previous bills to come into force. One of our reasons for opposing this bill is because of its close association with the other two bills. Further reasons to oppose Bill C-55 are derived from its potential to increase bureaucracy, increase government expenditures and create conflict of interest situations.

(1005)

The umbrella final agreement between the Government of Canada, the Council of Yukon Indians and the Government of Yukon was signed on May 29, 1993.

Chapter 8 of that agreement sets out the requirement for establishing the surface rights board and outlines some of its duties and powers.

Bill C-55 is the enabling legislation to create such a board. I am pleased to see within schedule II, clause 2(1), the use of waterfront right of way on settlement land for recreational

purposes is guaranteed and cannot be limited by the powers of the board.

Further, the board cannot deny a person the right to cross and make stops on undeveloped settlement lands in order to reach adjacent lands for commercial or non-commercial purposes. As well, people will have the right to enter, cross and stay on undeveloped settlement land for recreational purposes.

In all, I am pleased that an individual's right to travel across lands in Yukon for recreational or non-recreational purposes will not be subject to stringent entry and exit parameters as established by the board.

As well, another important aspect of the bill is that it does not change the legal rights of miners. I would like to turn to some of the problems that I see contained within Bill C-55. Let us first look at the bureaucracy.

At a time when the government is drowning in deficits and debt, we have to be extremely cautious as to any possible increase in government expenditures. What we see issuing forth from DIAND in the form of land claim and self-government agreements are increased expenditures through increased bureaucracy.

This is demonstrated in the umbrella final agreement and Bill C-55 is simply one piece of a larger, bureaucratic maze yet to be constructed in Yukon. The Yukon surface board is one of five boards, panels, councils and subcommittees yet to be established in Yukon pursuant to the umbrella agreement and previous Yukon legislation.

Yet to be created are the following: Yukon land use council; Yukon heritage resource board; Yukon geographical place names board; fish and wildlife management board and its salmon subcommittees, all to be funded by the federal government. Let me rephrase that as well, all to be funded by the taxpayers of Canada.

In all, when we speak of expenditures and when we consider that Bill C-55 is an agreement dealing with matters within Yukon territory and specifically dealing with matters relating to Yukon Indians, I believe it is only fair to ask these two parties to pay for the operation of the board.

Yukon Indians have been awarded power over resources, power in taxation and they have been given financial compensation for a 15-year period. Given these abilities and given the fact that 50 per cent of the membership of the board are Yukon Indian

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nominees, it is only reasonable to ask them to pay their fair share of the costs of the operation of the board.

Our amendment at committee stage would have achieved this cost sharing agreement between Yukon Indians and the territorial government but it was soundly defeated by the Liberal majority. Therefore Bill C-55 will pull more money out of the pockets of the Canadian taxpayer everywhere in Canada since the federal government has so generously agreed to fund the entire cost of the new board.

Let us look at finance. I am pleased to see that clause 23(5) allows the Auditor General to review the financial statements and financial transactions of the board annually. Unfortunately past experience has demonstrated that while the Auditor General has raised concerns over the lack of accountability and expenditures of moneys at DIAND, the department has displayed complete disregard for the Auditor General's recommendations.

However, it is curious that while Reformers proposed amendments to Bill C-34 that would have allowed the Auditor General the ability to review the financial transactions of self-governing institutions making use of federal moneys, these amendments were defeated by the Liberals at committee and in this House.

As well, with respect to the expenditures of the board, I am concerned with clause 23(2) and the notion that the board's budget will include moneys for cross-cultural orientation and education. This seems to be wide open for abuse. I am looking forward to seeing the guidelines for cross-cultural orientation and the expenditures that such an orientation will incur.

(1010)

Let us now turn to patronage. Other portions of this bill which concern me are clauses 8 and 19. Clause 8 stipulates that members of the board are to be appointed by the minister of Indian affairs. This is a board that is ready for a whole multitude of Liberal patronage appointments. The Liberals have shown no fear in their first year in office in appointing their own cronies to various positions within government or awarding government contracts to the party faithful.

Then again maybe we are being too critical. After all, perhaps it is all a coincidence and like the Prime Minister said they are qualified individuals, they just happen to be Liberals.

Old line parties like the Liberals are incapable of raising their political morality above this age old tradition of appointing old friends and confidants. Accordingly we have proposed an amendment which would allow half of the members of the board to be appointed on the nomination of Yukon territorial government. This would be similar to clause 9, section 2, which permits Yukon Indians to put forward nominees to be appointed.

Again our amendment was voted down, thereby ensuring that 50 per cent of the board will be ripe for patronage appointments from Ottawa.

The possibility of patronage does not end with appointments from the federal government. Clause 19 of the bill allows the board to hire consultants and advisers and fix the terms of their employment as well as their remunerations. Again the possibility exists whereby members of the board may seek to employ their closest associates as consultants or advisers.

When and if these people are hired board members can use the Prime Minister's excuse; yes, he is a consultant hired by the board, yes he is very qualified and yes he just happens to be a friend and, best of all, he happens to be a Liberal.

Let us now look at conflict of interest. Following closely on the heels of this possible problem with patronage is the bill's wilful disregard of problems surrounding conflict of interest situations. Subclause 10(3) is very specific in assuring that neither appointments nor an individual's membership on the board shall be affected by the fact that they have an interest in land in Yukon territory.

Therefore it is possible that a conflict of interest may arise since a member of a panel of the board may have a direct interest in the outcome of a case brought before him or her. Again we put forward what seems to be a reasonable amendment to ensure that board members may not sit on panels that are considering matters which may have a direct impact on the interest of that particular member. Again this was voted down by the Liberal majority.

However there may still be hope since clauses 18(a) and 18(b) allow the board to enact bylaws relating to the grounds for removal of members and the assignment of members to panels, respectively.

I would hope that the board in its wisdom and in drafting these bylaws would ensure that a member can be removed for blatant conflict of interest activities and that panels of the board will not consist of individuals who have a direct interest in the outcome of the cases before them.

We in the Reform Party have continually argued for public involvement in these agreements between Indians and government. The government of B.C. appears to have recognized the discontent the populace is feeling with respect to the secrecy of land claim negotiations and has taken some small steps to open up the process.

The public wants to be consulted on these matters and it wants to know how these agreements affect it. As residents of B.C., as residents of Yukon and as citizens of Canada they have a right to know, a right to participate. It is the crown's land that is being dealt away and it is their money that is being scattered about.

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While the province of B.C. may be waking up to this reality this government has made no meaningful attempt to include the public in negotiation of these agreements.

(1015)

DIAND briefing material with respect to Bill C-55 states that the public was consulted by sending the guidelines to major interest groups in Yukon. Not enough consultation? Then how about this: An advertisement was placed in Yukon newspaper announcing the availability of the guidelines for review by the public.

The bottom line is that there was virtually no public involvement and no information relating to the board, its operations, its duties, its powers and how it affects the residents of Yukon. We hear similar complaints over Yukon land claims and self-government agreements.

There were only a chosen few who were aware that such legislation was ready to be tabled. Indeed even as parliamentarians we were not alerted until 48 hours before the legislation was to be tabled in this House.

This government promised consultation. This government promised public input. This government promised to listen. These were hollow promises. Obviously this government is not concerned about the public input. This government is not worried about the public's concerns.

This government is simply worried about expediency in passing legislation that creates more bureaucracy, more patronage, more conflict of interest and costs the Canadian taxpayers a ton of money. With these goals and with the present financial health of the federal treasury it is apparent as to why this government attempts to keep the public in the dark.

While I recognize that industry supposedly favours this bill simply to settle native land claims in Yukon and therefore remove blockades to investment, I cannot support this bill for the reasons cited and its link to Bills C-33 and C-34.

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.):

[Editor's Note: Member spoke in Inuktitut.]

[English]

Mr. Speaker, it gives me great pleasure to speak today on the third reading of Bill C-55, Yukon surface rights board act.

I am honoured to participate in this debate because I know how much this bill means to the people of Yukon. When we pass this bill and it is proclaimed along with Bills C-33 and C-34 which were passed by this House last June Yukon land claims settlement will come into force. The years of waiting will be over. The people of Yukon will be able to get on with their lives

in new partnerships and new relationships with each other and with other Canadians.

Hon. members will recall that Bill C-33, Yukon First Nations Land Claims Settlement Act approves and gives effect to the land claim agreements of four Yukon First Nations: the Vuntut Gwichin First Nation, the First Nation of Nacho Nyak Dun, the Champagne and Aishihik First Nations, and the Teslin Tlingit Council. Bill C-34, Yukon First Nations Self-Government Act gives effect to the self-government agreements of the same four Yukon First Nations.

Bills C-33 and C-34 also authorize the governor in council to approve and declare valid future land claims and self-government agreements negotiated with the remaining 10 Yukon First Nations.

All these bills flow directly from the umbrella final agreement signed by Canada, Yukon Territorial Government and the Council for Yukon Indians on May 29, 1993.

Bill C-55 is the third and final piece of legislation required to bring Yukon land claims settlement into effect. Through Bill C-55 a new surface rights regime and dispute resolution mechanism will be established in Yukon to accommodate the new land regime set out in the claim agreement.

As a result of Bill C-55 industry and individuals in Yukon will have a known regime for obtaining access to both private and public lands. This regime will provide clear rules and regulations. Once this bill is enacted and we begin to implement First Nations final agreements there will be more certainty for everyone in Yukon. That certainty will translate into economic development opportunities. This will contribute to the government's objectives of putting Canadians back to work. The importance of providing this solid basis for economic growth and diversification in Yukon cannot be overstated.

(1020)

Passage of this bill which will bring Yukon Indian land claim into effect signals to all Canadians and to international investors that Yukon is open for business. As well, the surface rights board and the other institutions of public government that result from Yukon land claim agreement will contribute to the political and administrative development of the territory. Important decisions will be made in Yukon, not in Ottawa. This is an objective supported by all Yukoners, the territorial government and the Government of Canada.

Clearly Bill C-55 does more than just create a new institution of government. It is critical to the social, political and economic evolution of Yukon.

I reviewed very carefully the speeches given by members of the opposition during second reading debate of this bill. While most were critical, as is to be expected in opposition speeches,

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some contributions were thoughtful and constructive. Others were plain meanspirited and some contained errors of fact.

I would like to take this opportunity to thank the members of the Bloc Quebecois for their support in this House and in committee of this bill and of the settlement of Yukon land claim.

The hon. member for Saint-Jean took the time this summer to visit Yukon. He met with representatives of Yukon Indian people when he was there. His effort to get to know this most beautiful region of Canada and the wonderful people who live there is appreciated. While I do not agree with his entire philosophy, his effort to gain a better understanding of aboriginal issues by going to Yukon was certainly a step in the right direction.

I trust the hon. member and his party will be as open-minded, supportive and generous in dealing with the aboriginal claims of the aboriginal peoples in his own province.

As an aside, I do have to correct the member on an incorrect statement in his second reading speech on Bill C-55. He stated that the James Bay and Northern Quebec Agreement was entirely financed by the Quebec government and that the Government of Canada did not invest any money in it. That is false. The Government of Canada is a signatory to the James Bay and Northern Quebec Agreement and has ongoing implementation responsibilities and obligations. The Government of Canada has provided substantial funding in support of this agreement. I want to correct any misunderstanding there.

Getting back to Bill C-55, during second reading most members of the third party contributed a lot of misinformation. I am being extremely charitable in this characterization of their comments. This bill was called a recipe for disaster, among other things on more than one occasion.

I want to assure members of the third party that Yukon land claim settlement, which this bill will help bring into force, is not a divisive thing. It is an achievement of which all Yukoners and indeed all Canadians can be proud. It represents a bonding of the peoples, a coming together of different interests and perspectives for the common good.

I remind hon. members that the bill before us today cements an agreement which took over 20 years to negotiate. The parties to this agreement, Yukon territorial government, the federal government and the Council for Yukon Indians, all brought different positions and views to the negotiating table.

Over the years negotiations floundered many times. Leaders and governments changed. Negotiators changed. Negotiating parameters changed. This process was fitful and frustrating, but the parties stuck to it. They did not give up hope. They argued,

compromised and they emerged finally with an agreement. This is therefore a proud day for Yukoners and they deserve our congratulations.

What has been accomplished in Yukon is no small achievement. The agreements and the bills effecting the agreements may not be perfect, but they are the products of many people working together for common objectives: mutual respect and recognition, clarity of rules, certainty of rights, and a better future for future generations. This is a made in Yukon deal, made by Yukoners for Yukoners and it is unique to Yukon. It reflects Yukon needs and aspirations.

(1025)

Thus far I have restrained myself in this speech from rebutting some of the more provocative and outrageous comments made by members of the third party, but there is one I just cannot let go by. The comment I am referring to was made by a member of the third party, who will remain nameless, during second reading debate. The comment is in reference to Bill C-55. He stated: "It borders on the tragic to heap so much responsibility on so few".

Let me assure the member and all members of that party that Yukon is more than ready for this responsibility. Yukoners will handle this responsibility much better than anyone else. Size is not a determinant of value or worth. So what if the population of Yukon is less than most cities in Canada, as some members of the third party pointed out. The Yukon and its people deserve the same respect, consideration and recognition of their rights and abilities to make their own decisions as anyone else in this country. They have agreed through their elected leaders to forge a new direction and build a better future together. Their decision must be respected and supported.

I would like to conclude my remarks today by quoting from the presentation made by the Council for Yukon Indians to the Standing Committee on Aboriginal Affairs during its review of Bill C-55: "The enactment of Yukon surface rights board act will pave the way for the proclamation of Yukon Land Claims and Self-Government Acts. The Council for Yukon Indians and Yukon First Nations have worked extremely hard in the past 21 years to see the manifestation of the vision of Yukon First Nation elders. Yukon First Nations look forward to participating in these constitutional innovative regimes that have been advanced and negotiated in the interests of all parties concerned".

So do we. On behalf of the minister and the government, I extend warm congratulations and best wishes for success to all the people of Yukon.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I would like to thank the hon. member opposite for his speech.

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I probably should begin by saying that I restrained myself from rising on a point of order when he used terminology which just yesterday was ruled unparliamentary by the Speaker in referring to us.

I would like to tell hon. members and this member in particular, as emphatically as I can, that we bear absolutely nothing but the very, very best wishes for the people he is representing. It is very unfair, I think, when we begin to debate the issues to degenerate into name calling. I resent that because I do not think it adds to the debate at all.

I would like to ask some very serious questions. First of all, in the government ramming through Bills C-33 and C-34 last June, did it really add to the understanding and the conviviality among different parts of our society? One of the problems is that many people feel that things are being rammed down their throats and they have no real input. We do not have an opportunity as members of Parliament to represent the wishes of all our constituents.

It seems to me that it would have been much better had we taken the time to debate, to allow the Canadian people to have some real input into this and to build a level of understanding and acceptance of the deal that was made. If it really is that good it should be saleable. If it is not saleable then let us fix up the things that are not so that we can understand and accept, and I will even go so far as to say love each other that much more.

(1030)

With respect to the bill before us today and the building of this board, once again everybody else is disenfranchised. Everybody else has no input. It is just being rammed through. There will be a board but it does not represent the rest of Canadians who are also contributing to the financial bill and who have an interest in that regard and in everything that happens there.

I would like the hon. member to comment on the process in which this is all being done. Could we not do better? I understand and accept that there is some impatience here after 20 years of process and we have to move on. But we need to ask the questions very seriously. What is best in order to build a relationship among all Canadians and how does this process help it when we ram it through like this?

The Deputy Speaker: Before recognizing the hon. parliamentary secretary, this Chair was not in the chair when the Speaker ruled on the word mean spirited. If the hon. parliamentary secretary was in the House, it is my impression that was a ruling two days ago or perhaps three. I wonder if the parliamentary secretary would be kind enough to withdraw that word before he deals with the questions that have been put.

Mr. Anawak: Mr. Speaker, if indeed that word was ruled out of order, I withdraw the word.

I want to comment on the member's remarks of the last few minutes. It is surprising to hear him talk, without reflecting on the past, of the need for consulting with the people of Canada which we as a government are doing on a lot of issues.

I might remind the hon. member that there was not much consultation when the land of Yukon, the Northwest Territories and Canada was sort of taken over by a group of people without asking the people who lived in that region. I think the aboriginal people of Yukon are well justified in getting this agreement through. The Government of Canada, the Government of Yukon and the aboriginal people of Yukon should be congratulated for putting together such an agreement.

I made the remark earlier because of some comments of the past. I say this because of some deep concern that there is room for intolerance as a result of some comments made by some members of the third party. I quote directly from second reading of the bill a member of the third party. It says: "I urge members who believe in fairness, honesty and accountability to oppose this bill as it portrays the epitome of patronage and racial bias for which Canadians should never be known".

That was an unacceptable comment by a member of the third party. Part of the same comment states: "Such land claims, self government and racially segregated mediation boards will set a precedent for future negotiations with aboriginals which Canadian taxpayers will be hard pressed to pay for".

The government of Yukon and the people and the Council for Yukon Indians are all in support. They have adopted this bill. Therefore, I do not think there is any room for the kind of remarks that have been made in the past. I say this as a response to comments made during second reading of this bill, not as comments that I am putting forward on my own. If members want, I can carry on for another 10 minutes quoting comments during second reading to make sure that the people of Canada know what has been said by the third party.

(1035)

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, I listened with interest, especially to the commentary at the end. For years we have heard nothing but the abuse that native Indians suffered through the administration of the Department of Indian Affairs and Northern Development. This is part of the same government that helped set those laws in process.

Here it is telling us to trust it once again, to further a problem that is liable to occur and keep on occurring. This is beyond belief. It put a restriction in front of the natives in Yukon of only 50 per cent of the members on the board. Why can it not be 100 per cent? Why does this government automatically assume that only 50 per cent of the natives there are capable of making this decision and not 100 per cent of the natives?

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This is put on by that side of the House. I could go on and say that to me this seems like a very racial hindrance.

(1040)

Mr. Adams: What is the percentage of natives in Yukon?

Mr. Stinson: Why do you put a qualification on any people in this country? Why put that roadblock in front of them?

The Acting Speaker (Mr. Kilger): Order, please. Again, I appreciate the hon. parliamentary secretary's courtesy. In *Hansard* on Wednesday, page 8173, a minister in fact used the word that came up earlier. The minister said, and I quote: "With the greatest respect to you, Mr. Speaker, of course I withdraw". My colleague said if the ruling was made. He now knows that the ruling was made.

Mr. Anawak: Mr. Speaker, I withdraw the word. However, I want to advise the hon. member that he does not seem to have much confidence in the people of Yukon or the Government of Canada—

Mr. Stinson: More than you do. Why do they not go for 100 per cent?

Mr. Anawak: —in appointing aboriginal people as part of their 50 per cent. Hopefully the Council for Yukon Indians will appoint its 50 per cent as aboriginal people. If it chooses, it does not necessarily have to be aboriginal people. I have great confidence that the Government of Yukon and the Government of Canada, if they choose to, will appoint aboriginal people to the panels.

Mr. Stinson: The other 50 per cent will be legal hacks.

Mr. Anawak: If they do not, it is their prerogative. I have more confidence than the hon. member in the Government of Canada and the Government of Yukon in having confidence in the aboriginal leaders.

I just say these things. I mention the mediation boards.

Mr. Stinson: You are saying they should be restricted to 50 per cent and no more.

Mr. Anawak: I quote at second reading from another speech made by a member of the third party: "The potential for conflict of interest is also there because claims are not assumed to be reviewed by the entire board but by a panel of three. At least one must be a member appointed to the board from the Council for Yukon Indians and two others are to be chosen by the chairperson. Could this not end with a blatant bias or conflict if all were from the Council for Yukon Indians? There are no rules to the contrary".

I rest my case.

[Translation]

Mr. André Caron (Jonquière, BQ): Mr. Speaker, it is a pleasure to rise in the House today to speak to Bill C-55, the last in a series of three bills aimed at implementing the provisions of agreements in respect of certain lands in Yukon, negotiated by Yukon, Canada and Yukon first nations.

To give an indication of the importance of adopting this kind of bill, I would like to start by putting it into the context of the broader issue of aboriginal land claims, not only in Quebec and Canada but throughout the world. We all know that the rights of aboriginal peoples have become an issue in many countries: in North America, South America and Asia, where since the 15th or the 16th century, Europeans came to settle lands that were occupied by aboriginal peoples.

The Europeans became established either through conquest, colonization or various other ways, and as their numbers increased over the centuries, aboriginal populations were pushed into a minority position. In the past 20, 25 or 30 years, aboriginal peoples have become aware of the importance of surviving as a people and maintaining their identity. They drew up land claims so that, in certain regions, areas or countries, they could continue, as much as possible, to live according to the traditional ways of their ancestors, or otherwise obtain the requisite political and economical leverage to be able to perpetuate their identity as a people on a viable basis.

The bill before the House this morning is part of this vast endeavour to satisfy the land claims of the aboriginal peoples, while bearing in mind the hard cold fact that other people now live in these territories as well, and in some cases, have done so for many centuries, and also have the right to live there.

Canada and Quebec have initiated negotiations with various first nations on their territorial claims. In Canada, a number of agreements have already been concluded, such as James Bay in 1975, the agreement on Nunavut in the MacKenzie River Delta, and now Yukon.

As a member of the Standing Committee on Aboriginal Affairs and Northern Development, I have, of course, been involved in the proceedings of this committee, and since I also have a personal interest, I read up on the situation in Yukon and what had happened so far, and I realized that it was imperative and absolutely essential to ratify these agreements as soon as possible.

As you know Yukon is in Canada's north. It was originally part of the territory that was given to the Hudson's Bay Company by the Crown and that included all of northern Canada and northern Quebec. This immense tract of land became the property of a private company. The Hudson's Bay Company took

advantage of the territory's resources, especially through its involvement in the fur trade.

Aboriginal people in Yukon came into contact with the white man in the person of the employees of the Hudson's Bay Company. They were also exposed to influences from the south, in a perhaps more brutal manner, during the famous gold rush in the Klondike at the end of the 19th century. At the time, many people came from the south to look for gold in Yukon, disrupting the traditional ways of the aboriginal peoples in this region. There was also the construction of the Alaska Highway in the 1940s by the United States, to connect the U.S. territory with the territory of Alaska.

(1045)

The result was that Yukon was brutally invaded by people from the south. We are not here to pass judgment. It happened long ago, people behaved the way they were used to, and I do not think it would serve any purpose to dwell on the past. However, we have to realize that injustices were created and that new arrangements must be put in place if the people who live there are to develop in harmony, and if their economic, social and political needs are to be fulfilled.

I think that we have to watch our language carefully. When we look at what happened in Quebec over the last 20 years and what is happening now, we realize that governments and people are demanding that we settle the outstanding issues. Except it is extremely fragile. Negotiations are often difficult because the issues are complex. There are important constitutional and economic questions involved. There is also a basic political dimension.

When we talk about self-determination, self-government or sovereignty, we deal with emotionally-packed concepts and all sorts of reactions from the people. We just have to recall the reactions to the recent declarations of a Quebec native leader in New York, where the word "racist" was bandied about. I think that it is rather inappropriate to use such a word in that particular context. We are in a negotiating context, where you must keep your cool to be able to come up with something which will be fair to all involved.

When issues like racism are raised, a notion so emotionally charged because of the long racist history of mankind—just think of what happened to the Jews and the Gypsies during the Second World War—we are often taken aback, stunned and disappointed to see it surface in the papers, in the minds and in conversations, and being applied to situations occurring in Canada.

We cannot say that the situation in Canada is one of racism. I believe that no one among native people and non-natives is going to form a particular opinion about a specific group because one member of this group is of a different ethnic origin or race.

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One must be very careful in Canada when using the word racism. One may talk about ethnocentricity, prejudices or many other similar things—there is no shortage of terms—but I believe that accusations of racism must be avoided because it could trigger a chain reaction with far-reaching consequences, especially with respect to negotiations which have been going on for years and could fail because the negotiating parties might see in each other all kind of sinister intentions.

I wanted to get this off my chest before dealing more specifically with Bill C-55.

This piece of legislation seeks to set up a board to settle disputes that might arise between parties to the agreements reached in Yukon. As we know, last June this House passed Bill C-33 and Bill C-34, which were enacted in July. These acts give effect to land claim agreements concerning Yukon and deal with certain matters relating to self-government for native people in Yukon Territory.

(1050)

Negotiations prior to these agreements had been going on for over twenty years. There were many difficulties. The negotiation framework was hard to develop. People took a very strong stand at first, one party wanting everything while the other was reluctant to yield anything, vetoing the claims, so to speak.

Little by little, over the years, people learned to know one another, setting up the framework for the negotiations. These negotiations finally ended in the early 1990s. The agreement before us this morning is simply to ensure that there are arbitrators appointed when disputes arise between the parties to the agreement in the Yukon.

Before getting further into the consideration of Bill C-55, I would like to take a second to remind the hon. members that both bills we have passed recognized that Yukon aboriginal peoples did have rights over certain lands, that is to say surface and subsurface rights over some lands and surface rights on others, lands that can form the basis for a certain economic life so that these peoples will no longer be dependent upon federal government subsidies.

Like me, Mr. Speaker, you have no doubt read the Auditor General's report and noted the rather explicit criticism of the social assistance provided to the aboriginal peoples of Canada. It is reported that approximately 40 to 45 per cent of natives in Canada depend on social assistance. On certain reserves, it is up to 80 or 85 per cent of the population. That is a huge percentage! There is an enormous problem there. The Auditor General tells us that it costs \$1 billion, because that is how much is paid out to the people, the people who are running the reserves, and that insufficient control is exercised over the use made of these funds.

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I agree with the Auditor General that tighter control is required. But what the Auditor General is telling us in his report is that control over this \$1 billion may not be perfect. At the same time, he says that \$1 billion is paid out to aboriginal peoples because they are really having a rough time on the social, economic, health and education front.

In such circumstances, I do not think that the thing to do would be to say: "We need a billion dollars. We will take this billion and use it for something else in the budget and let these people manage on their own". We must think instead in terms of creating conditions where they will no longer need social assistance.

I think that the kind of agreement we have reached respecting the Yukon, and those respecting other parts of Canada such as the Mackenzie Delta, the Nunavut, the James Bay area in Quebec—and there are more coming—all these agreements will enable the aboriginal peoples concerned to lay the economic foundations required to no longer depend on government assistance for their social and economic development.

I think that this is essential and that is why agreements such as this one must be encouraged and legislation to implement such agreements be passed as quickly as possible.

As my colleague from the Reform Party said earlier, certainly it is quick. At the Indian affairs committee, we considered both Bill C-33 and Bill C-34 in June. These were complex bills. There are often concepts involved that are very difficult to grasp. While the committee may not have been pressured, it certainly had to make haste.

(1055)

This committee even sat all night on one occasion. This unusual experience shows that important decisions were made. I think that sitting all night on this committee will be a highlight of my life as a parliamentarian. Representatives of Yukon first nations came and spent the night with the committee to show us how crucial this bill is to them.

It is sometimes ill-advised to move too fast; however, when dealing with important issues, it is often pointless and even harmful to drag things out. That is why we must act now so that the representatives who negotiated in good faith in the hope of improving the lives of their people will not be disappointed. In such cases, when an agreement is reached after 20 years, we cannot afford to disappoint people by unduly delaying its adoption. Especially when we know how hard it is for a standing committee and even for the House of Commons to challenge agreements negotiated with the help of many experts and lawyers over a number of years.

I think that we must put some trust in those who negotiated the agreements and those who reviewed them, like the Bloc members on the standing committee who, after examining the entire

bill, did not find anything that would justify unduly delaying its passage.

Of course, we can improve any bill by proposing amendments to it. With respect to Bill C-55, I might have had some concerns, like my colleague from the Reform Party, about how committee members are chosen. It might have been better to ensure as much as possible that committee members are not appointed because of partisan considerations—if that can be done within the party system prevailing in Canada.

Canadians increasingly feel that the people appointed to government positions should be chosen for their personal ability and not because they belong to a party. I think that people in Yukon will be especially sensitive to the quality of those appointed to this board.

I am pleased to support this bill. I hope that the people of the Yukon will implement it as soon as possible so that they can ensure their own development and that we as Quebecers and Canadians can establish the best possible relationship with them in the future.

The Deputy Speaker: The hon. member will have three minutes left to conclude after question period.

It being 11 a.m., pursuant to Standing Order 30(5) the House will now proceed to Statements by Members pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[English]

ATLANTIC CANADA OPPORTUNITIES AGENCY

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, in recent days we have heard a great deal from certain Reform members of Parliament about ACOA's funding practices.

A recent contribution to Canadian Hybrid Farms in my riding of Annapolis Valley—Hants was singled out as an example of alleged wasteful government spending.

The decision to make a contribution to this firm demonstrates ACOA's commitment to assisting leading edge companies set up shop and succeed in Atlantic Canada. This company has focused its efforts in developing a new strain of genetically altered hamsters for use by the scientific community in researching heart disease in humans. Medical researchers from around the world rely on these hamsters in order to test the efficiency of cardiovascular drugs.

(1100)

Through its diversity of programming ACOA has consistently shown itself to be a leader in promoting economic development in Atlantic Canada. Its contribution to this important project is one more example of its commitment.

BELL CANADA ACT

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, I rise today to point out that the provision of telephone service in rural Ontario is not adequate and when compared to urban areas can only be described as second class.

There is no requirement that telephone service be provided beyond 62 meters of the existing system. Although quite adequate to ensure subscribers in cities receive new services at reasonable costs, in rural areas it means many individuals must pay thousands of dollars for a phone hookup.

The reality for many of my constituents is that the security and convenience of phone service most of us take for granted are not available to them. In addition, large portions of my riding have been embargoed, meaning private lines are not available. This policy discriminates against rural Canadians wishing to establish businesses depending on such simple tools as faxes and computer modems, let alone access to the information highway. In areas where economic development is most needed the required communication infrastructure is being denied.

I urge the Minister of Communications to amend the Bell Canada Act of 1902 and to end this discrimination against rural Canadians.

* * *

THE ECONOMY

Mr. Gar Knutson (Elgin—Norfolk, Lib.): Mr. Speaker, lately when discussing the country's financial situation with groups in my riding it became clear to me that the message of fiscal restraint has been heard by Canadians. People in my riding are ready for the government to make the tough choices that are needed to get our financial house in order.

I have also been disturbed by how some people, especially from the far right of the political spectrum, are using the present financial difficulties as an excuse to advocate brutal measures against the poor.

The debt and deficit remain real problems. The medicine will be no doubt bitter but I have every reason to believe that the government will be looking for ways to make our social security system more fair and equitable without hurting those most in need.

I condemn those who use our present financial difficulty as an excuse to impose their right wing agenda on the poorest and most vulnerable in our society.

[Translation]

QUEBEC SOVEREIGNTY

Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ): Mr. Speaker, yesterday, at their annual meeting, held in Jonquière, the 300 delegates from the Quebec steelworkers union decided to support sovereignty during the next referendum on Quebec's future. This central labour body feels that sovereignty is the only way to ensure that Quebec has the necessary tools to look after its economic, political and socio-cultural development.

Occupational training will be the top priority for steelworkers in the years to come. They believe that this whole sector should fall under Quebec's jurisdiction. In fact, Quebecers have been requesting this for years, but Ottawa has always categorically refused to consider that option.

The decision made by the steelworkers illustrates once again the importance and the diversity of the various groups supporting sovereignty in Quebec, and we are very pleased to see that.

* * *

PUBLIC SERVICE

Mr. André Caron (Jonquière, BQ): Mr. Speaker, while the Minister of Intergovernmental Affairs is telling federal civil servants that they should fear sovereignty for Quebec, his government is about to make cuts in its public service.

According to persisting rumours among civil servants, which were even repeated by the Public Service Alliance of Canada, 30,000 positions will be eliminated in February, when the next federal budget is tabled. It appears that these cuts would primarily affect civil servants working in the national capital, since regional staff has already been reduced significantly.

Consequently, this massive reduction in the public service population of the Ottawa region has nothing to do with the threat of separation, the election of a PQ government, or the role of Bloc Quebecois MPs in this House. This government will be the only one to blame if such despicable cuts are made in the public service.

* * *

JOB CREATION

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, yesterday, the Minister of Finance accused the Government of Quebec of not being concerned about job creation. He seems to forget that in an impressive number of areas, it is the federal government which is preventing job creation in Quebec.

S. O. 31

(1105)

The federal government refuses to transfer all powers for labour training to Quebec and is thus preventing the implementation of a comprehensive and coherent job creation strategy in Quebec.

The federal government is refusing to reduce unemployment insurance premiums even though it said that lowering them would create jobs. The federal government is also refusing to implement a real defence conversion policy. And what about MIL Davie?

The Minister of Finance should look in his own back yard and get down to work.

* * *

[English]

GUN CONTROL

Mr. Hugh Hanrahan (Edmonton—Strathcona, Ref.): Mr. Speaker, we know that there are approximately seven million legitimate gun owners in Canada and that the use of guns results in one of the safest, most thoroughly self-policed recreational activities anywhere.

To qualify for a purchase of a firearm or a hunting licence, Canadians must pass numerous examinations and training courses on firearms knowledge, safe firearms handling, wildlife identification and safe hunting procedures.

Handgun owners are required to undergo an even tougher application process and have rigid security restrictions. Yet despite all these controls, knee-jerk Liberalism has sprung into effect to establish even tougher gun laws when we know the problem is the criminal use of guns and not with the legal gun owners.

I challenge the Minister of Justice to do the right thing, which is to get tough on criminals and forget about creating laws that make criminals out of law-abiding citizens.

* * *

CANADIAN BROADCASTING CORPORATION

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, newspapers can be a useful cross-reference. Let us consider three stories carried by the *Globe and Mail* on November 16, 1994. All three related to spending abuses, all three connected by real estate and all three about the CBC.

In one story Keith Spicer, president of the CRTC, asked for the CBC to be given breathing space from the continuous rounds of budget cuts. Then the editorials ran a letter from the CBC's vice-president of finance as he attempted to defend the expenses of the CBC's broadcasting centre.

It is amazing how creative accounting can actually justify a yearly rental cost of almost \$50 million which will balloon to over \$200 million in the next 10 years, all of it taxpayers' money.

The third story revolved around the changes to CBC "Midday". Will we indeed see that program co-hosted out of Vancouver? At what cost? What will happen to the current cosy and expensive "Midday" studio at the broadcast centre in Toronto? More redundancy, more excuses, more expenditure abuse.

Hats off to my handy reference guide. It made my day.

* * *

JUSTICE

Ms. Margaret Bridgman (Surrey North, Ref.): Mr. Speaker, the issue of criminal responsibility in cases of extreme intoxication has been receiving a lot of attention lately.

Nicole Hilliard from Surrey wrote the following:

I am sure you are already familiar with the man from Alberta who went on a 30-hour drinking binge, then beat his wife up and was acquitted due to his mental state.

I ask: "Did anyone force this man to consume a bottle of rye, vodka, and several bottles of beer?"

If someone consumes too much alcohol, gets behind the wheel of a car, then kills someone, you can guarantee that no court in Canada would decide to acquit that person based on his or her drinking.

If this law is not changed we will see more and more individuals acquitted because criminals in Canada have avoided responsibility time and again thanks to the outdated criminal justice system. Laws like this one are completely unacceptable and insulting.

Reformers will continue to stand up for the rights of victims and push for changes to our justice system.

* * *

[Translation]

MINING INDUSTRY

Mr. George S. Rideout (Moncton, Lib.): Mr. Speaker, today I would like to point out the importance of the mining industry in Canada.

[English]

The mining industry is a real economic generator in the country. For example, we owe 16 per cent of the country's exports to the mining industry. It accounts for 4.6 per cent of GDP and provides 100,000 high paying skilled jobs in areas of the country where there is otherwise very little economic activity.

We only have to cast our eyes about this room to recognize how important the mining industry is to our daily lives. While today's high tech and manufacturing industries rely to varying

degrees on the mining industry, the mining industry also incorporates much advanced technology in many of its processes.

We must properly recognize that the mining industry is important to our economic well-being and do what we can to keep mining in Canada.

* * *

“60 MINUTES”

Mr. John Loney (Edmonton North, Lib.): Mr. Speaker, recently American news magazine “60 Minutes” aired a story called the “Ugly Face of Freedom”. After watching the show I was appalled at the story. Normally “60 Minutes” has very high journalistic standards. This time the standards were much lower.

(1110)

The story focused on anti-Semitism in the Ukrainian city of Lvov. The story talked about right-wing political movements calling for a Ukraine populated by only ethnic Ukrainians. These right-wing splinter factions are also vehemently anti-Semitic, according to the “60 Minutes” story.

The rise of right wing politics is occurring all across Europe but the groups are small in numbers. The media likes to lionize these groups as they make good press, but in their efforts to attract viewers they have slandered Ukrainians everywhere.

Ukrainians both in Canada and in Ukraine denounce the rise of these radical hate groups and call upon “60 Minutes” to tell the truth, the whole truth and nothing but the truth.

* * *

THE ENVIRONMENT

Mrs. Dianne Brushett (Cumberland—Colchester, Lib.): Mr. Speaker, the involvement of communities in restoring our environment is essential. Governments can show leadership and set the stage but partnerships with communities are crucial to achieving success.

Two hundred and fifteen thousand dollars was recently awarded by Environment Canada’s Atlantic coastal action program for projects designed to improve the environment in five communities in the Atlantic provinces. In addition \$100,000 has been allocated for four regional initiatives that will benefit all thirteen of the sites and their community groups.

The Atlantic coastal action program was established in direct response to local citizens’ concerns. In my coastal communities the problems are polluted waterways, haphazard development and lack of concern for the environment.

I commend the Deputy Prime Minister and Minister of the Environment on the success of her department’s initiative in facilitating the Atlantic coastal action program. She is to be congratulated on recognizing the strength of communities in restoring the environment for everyone.

S. O. 31

NATIONAL SERVICES MONTH

Mr. Pat O’Brien (London—Middlesex, Lib.): Mr. Speaker, the service sector is an integral part of the Canadian economy and for this reason November has been declared National Services Month. In 1993 service industries represented three-quarters of Canada’s gross domestic product, amounting to \$387 billion.

In my riding of London—Middlesex economic activity is generated by services such as banking, insurance, construction, transportation, utilities, communications, professional, consumer and services business. As a matter of fact service industries account for more than 78 per cent of total employment in Canada and account for seven out of ten jobs in each province.

I praise the efforts of the people who have contributed to the success of the service industry. I commend our government for its continued support of this important sector of our economy.

* * *

CENTRAL AMERICA

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, this morning I had the opportunity and the privilege of meeting with the Association of Central American Farmers Organizations for Co-Operation and Development.

This is an umbrella organization that seeks to promote the interests of small and medium sized farmers in Central America at regional and international levels. It has been on a tour of Canada to meet with Canadian farm leaders and policy makers and to promote a vision for the sustainable development of Central America.

I congratulate ASOCODE for its efforts. As it suggested, we must go beyond a bureaucratic level in a relationship with Central and Latin America. We must continue to further the efforts of the government in working at a political level and should expand to working with populist groups as well.

I found working with such groups extremely enlightening in developing understanding. I encourage all parliamentarians to focus some attention on the needs of Central America and what we have in common.

* * *

EMPLOYMENT

Mrs. Bonnie Hickey (St. John’s East, Lib.): Mr. Speaker, in committee a member of Parliament made it clear that in hiring he asked potential employees if they were married. He also expressed concern that mothers might bring their parental responsibilities into the office which would impair their ability to do their job.

Oral Questions

I am a mother and a wife. I am proud to say that the constituents of St. John's East do not feel the same way as my colleague from across the House. My constituents believe that I am capable of representing their views and fulfilling my job as a mother, and I am proud to do so.

* * *

THE ECONOMY

Mr. Herb Grubel (Capilano—Howe Sound, Ref.): Mr. Speaker, the Reform proposals for spending cuts of about \$10 billion are politically courageous since they identify groups and institutions that will undoubtedly launch strong attacks and will paint Reform as lacking compassion.

(1115)

However, we took these risks precisely because we are compassionate. If Canada will hit the financial wall, those cuts will look puny and the needy will have to suffer. We also use principles of fairness in our recommendations. We propose cuts at the top including politicians pensions and perks and cuts for private business as well as special interest groups.

Frankly and proudly the cuts are also based on a different vision of the role of government, one which gets government out of the lives of Canadians, encourages the family and free enterprise and reduces the power of publicly financed media elites.

Reform awaits anxiously the government's proposals that will slow down the debt clock which now is at \$538,203,000,000.

* * *

CHILD POVERTY

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, yesterday Campaign 2000 released its fifth annual report card on this country's progress toward the goal of eliminating child poverty by the year 2000. In this International Year of the Family, the federal government has received a failing grade. Child poverty is on the increase. In this the fifth year of the anniversary of the House of Commons' unanimous motion to eliminate child poverty by the year 2000, there are about 331,000 more poor children today than there were five years ago.

Instead of dealing with the problem of child poverty, the Minister of Human Resources Development has set this country on a course that will leave children behind. It is time for all parliamentarians to support the recommendation of Campaign 2000, create jobs, raise corporate taxes and use social programs to redistribute the wealth. It is time for action.

ORAL QUESTION PERIOD*[Translation]***NATIONAL DEFENCE**

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, last night, on the French CBC program *Le Point*, Major Armstrong told us about another aspect of the unfortunate events which took place in Somalia and confirmed that Canadian soldiers had literally lured Somalis with water and food before capturing them and treating them in the way we have all heard about.

Responding to the demands of the Official Opposition, the defence minister decided to move up the inquiry on the incidents in Somalia and announced that it would begin early in the new year.

My question is for the Minister of Defence. Given the horror of these new revelations, why does the minister not initiate the public inquiry right now, so that the crimes committed in Somalia can be elucidated as soon as possible?

Hon. David Michael Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I answered a similar question from members of the Reform Party yesterday in the House of Commons.

It is very important to respect the judicial system and, on the basis of the legal counsel I received, I decided that it would be advisable to start the inquiry after the courts martial, but before the court martial disposes of the appeals.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, since many very important facts were covered up in the first investigation on the events in Somalia, does the minister not agree that his duty requires him to launch the public inquiry immediately to get to the bottom of these events, thus eliminating or reducing the risk of undue pressure being brought to bear on potential witnesses in this affair?

Hon. David Michael Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, my duty is to respect the judicial system in this country.

[English]

I have said earlier that what is very important in dealing with these tragic events is to ensure that those people who have been accused are dealt with in the proper way in front of the courts martial.

What I also said yesterday is that we believe that it would be appropriate to commence the inquiry after any disposition of further charges, there is one particular case that could go to a court martial, but before the appeals are concluded.

Oral Questions

(1120)

That means that in the early part of next year this inquiry which, I repeat, will be public, open and civilian, will get under way and will deal with all of the specific allegations that have been made.

I asked the chief of defence staff to remind members of the armed forces of the rules with respect to speaking on military matters and I do note that Major Armstrong taped the interview with *Le Point* about two or three days ago before I made this announcement yesterday.

I think the best situation now is to allow all complaints, all concerns by anyone in the forces or elsewhere to go to the inquiry when it starts in the new year.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, as for the constraints of the inquiry now under way and the trials, I will remind the minister that he has already taken a first step, at our request, and moved the inquiry ahead of any possible appeal process. We think that he should continue in this direction and instead of asking senior army officers to keep the military from talking about the events in Somalia, does the minister not believe that he should act as openly as possible and announce right now whether he intends to entrust the powers of a real commission of public inquiry to those who will have to investigate the situation in Somalia?

[English]

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I would like to correct one thing the hon. member said. The inquiry will not prejudice the appeals that will be going on perhaps at the same time.

With respect to the other part of the question, in terms of the conditions, the terms of reference of the inquiry, this question was posed last Friday by his colleague and these terms of reference are being worked on by the judge advocate general of the Canadian Armed Forces and also the officials of the Department of Justice. Once we announce the composition of the inquiry, the head of the inquiry and the other board members, the terms of reference will also be announced.

Those terms of reference will be wide enough and broad enough to deal with all of the complaints made by people such as Major Armstrong and members of the opposition and other people in the country who feel that this particular matter is grave, and we agree, and has to be dealt with as expeditiously as possible.

*[Translation]***CANADIAN PEACEKEEPERS IN BOSNIA**

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, my question is directed to the Minister of National Defence.

It seems that this morning, a precarious cease-fire was concluded at Bihac, where 20 of the 55 Canadian peacekeepers are still being held hostage by Serb forces. This cease-fire should provide an opportunity for resumption of negotiations between the parties concerned and eventually lead to the resolution of this problem.

Could the Minister of National Defence tell us what the situation is now in Bihac and indicate the terms of this cease-fire?

Hon. David Michael Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I have no exact information on the terms of the cease-fire in Bihac. Perhaps I may point out that we only have five Canadians in Bihac. Most of the soldiers who are being detained, and there are 55, are based near Visoko, north of Sarajevo.

[English]

There are 55 Canadians currently being detained. Nothing has changed on their situation. They are in good shape. We are negotiating for their release. It is part of the larger problem dealing with the question of Bihac. We do have five Canadians in Bihac. There have been reports of some cessation of hostilities today in Bihac and we hope that will mean there will be some normalization of events.

At the moment there is little change from what we described yesterday.

[Translation]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, I am glad to hear that only five and not 20 Canadian soldiers were taken hostage in Bihac, but the minister will agree that five is still five too many.

Considering the fact that Canadian peacekeepers are still being kept hostage in Bosnia, could the minister indicate what position Canada has taken vis-à-vis its partners regarding the possibility of continuing air strikes?

[English]

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, our ambassador in Brussels at NATO was engaged in discussions yesterday about the future use of air power.

Oral Questions

(1125)

Nothing has changed from the course of events that was decided upon earlier this year, that if a UN safe haven is attacked, if UNPROFOR forces are attacked, the UN would have the right to ask NATO to engage in air strikes.

I think it is premature at this point to expect any further attacks in the next few days. This matter is under discussion not only between NATO and the UN but also between the warring parties in the former Yugoslavia.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, further to the questioning of the Minister of National Defence on the Bosnia situation, yesterday he acknowledged that Canadian troops in Bosnia are in a very dangerous situation and he indicated that very little has changed.

The most recent reports indicate that the situation may have even deteriorated further. Last night retired Major General Lewis MacKenzie was quoted as saying: "The United States was willing to fight to the last Canadian".

Given the growing danger, will the minister tell Canadians if he even has one contingency plan and if he does what that plan might be?

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, an essential part of military planning is that you do not reveal what your plans are to anyone other than the people you command.

It is a tragic situation but the question amuses me. The reputation and the experience of the Canadian Armed Forces not only in the former Yugoslavia but elsewhere should lead the hon. member to have confidence that the chief of defence staff and all those in the Canadian command, including the rest of the UNPROFOR forces, know what the problems are and will know how to deal with any situation that may arise.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, I would not bring this matter to the attention of the minister except that we are hearing reports actually back from the field saying that they are concerned that there is no plan and morale is becoming lower.

The Minister of National Defence insists on referring to the detention of Canadian soldiers but let us speak frankly as the UN commander has done and admit that our troops are now being held as hostages and as bargaining chips.

As we noted yesterday, the minister promised to withdraw Canadians if the situation on the ground changed or if their safety were called into question. How far must the situation deteriorate before the government acts to remove troops from this dangerous situation?

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I can cate-

gorically say there is no morale problem with the Canadian forces in Bosnia and Croatia. If anything is going to undermine morale it is the comments of parliamentarians like the hon. member opposite and his colleague yesterday who made unfortunate references to possible situations involving fatalities of our soldiers.

We are all Canadians. It does not matter what party we represent. These people are our people representing the country, doing work for the UN. Let us not compromise their safety any more than we have to.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, I assure this House that I speak out of concern and based on warnings that have been coming forward for several months.

This is symptomatic of a larger problem. The Auditor General pointed out earlier this week that policy development systems in the Department of National Defence have significant difficulties, that capability objectives are not clearly stated, and that the Canadian forces are not always sure what they are supposed to be doing and what equipment they will use.

Will the minister in light of the situation in Bosnia in which Canadian troops have lacked clear objectives from the beginning make it a priority to develop objectives to avoid a repeat of the Bosnian morass?

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I am a little annoyed. We have had two debates in this House about the engagement, the deployment of our troops in Bosnia and Croatia. There was a consensus that Canada should discharge its obligations and stay there. This is not a matter of partisan debate. I realize some people have reservations. There was a consensus. We have tried to depoliticize this whole debate.

To link the Auditor General's report, which describes a situation that we inherited from the former government and one which we are correcting, to the current tragic situation on the ground in Bosnia is absolutely irresponsible.

* * *

[Translation]

AUDITOR GENERAL'S REPORT

Mr. René Laurin (Joliette, BQ): Mr. Speaker, in his latest report, the Auditor General found that accounts receivable totalled \$6.6 billion.

(1130)

Last Tuesday, the Minister of National Revenue said, in an attempt to downplay the problem, and I quote: "The total accounts receivable stopped growing last year and is now declining. I believe that we will continue to be able to reduce that sum".

Would the minister agree that last year, the proportion of unpaid taxes, compared with net tax revenues, continued to rise, which would indicate a significant deterioration of the situation?

[*English*]

Hon. David Anderson (Minister of National Revenue, Lib.): Mr. Speaker, I can only repeat what I said to the House on two occasions last week.

The accounts receivable are in fact accounts receivable. They are not the area of the accounting system we regard as lost accounts which we will never collect. It is not that at all. Last year we collected \$8.8 billion from accounts receivable even though the average level was at \$6.6 billion. In other words, I can repeat to the House that we will collect the vast majority of the accounts receivable with interest in that \$6.6 billion figure.

Canadians should know and fully understand there is not some pot of gold out there which can be brought in and then used to reduce the deficit. All the money in the \$6.6 billion account which is recoverable and will be recovered with interest is money that is already taken into account by the government in its budgetary calculations.

The hon. member should recognize that this is normal business procedure. For us to try and collect the \$6.6 billion immediately will result only in more companies in Canada going into bankruptcy and more honest Canadians being harassed for their last dime.

[*Translation*]

Mr. René Laurin (Joliette, BQ): Mr. Speaker, would the minister agree that much remains to be done and that his department should immediately put in place a system that will accelerate the collection of large accounts receivable, as recommended by the Auditor General?

[*English*]

Hon. David Anderson (Minister of National Revenue, Lib.): Mr. Speaker, I can only say that one year ago yesterday I issued a press release announcing a series of measures to improve the recovery of moneys owing to the government. This ad resulted in some billions of dollars coming in. For example, in this fiscal year we anticipate it will result in an extra \$3.8 billion coming in as a result of these new measures.

I sent that press release out to everybody, including the press gallery, one year ago yesterday. The Auditor General at the end of May when the fiscal year ended, four months after I sent out this report, looked at the year. Most of the months in that year were Tory months and not months that I was minister. He said there were certain things that needed to be done. My press release was in fact a preface to the Auditor General's report with respect to collections.

Two months ago the hon. member's colleague who is sitting at his right hand right now asked me a question about a speech of the Auditor General in Quebec City. I pointed out to him that it

was something we were collecting and there was no question of this money not being collected.

* * *

NATIONAL DEFENCE

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, yesterday the Minister of National Defence stated that as a condition of service if individuals have something to communicate they should communicate through their superiors. If the culture of the military is such that individuals feel compelled to remain silent for fear of retribution, is justice served?

Hon. David Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I do not want to accept the premise upon which the hon. member's question is based. However, even if there were such concerns surely the announcement of an open and public civilian inquiry would allay any of those concerns.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, the minister states that members of the service should speak only to their superiors yet these are the very superiors who suppressed evidence to start with. They have to have the freedom to go outside the normal chain.

The minister has stated there will be a public civilian inquiry into the Somalia affair. When will the minister table a terms of reference for the inquiry? Will the minister ensure that the inquiry is broad enough to reach the highest echelons of the Department of National Defence in Ottawa up to and including a previous minister of defence?

(1135)

Hon. David Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I said earlier that this inquiry will begin after charges are disposed of against one additional person and that this would not prejudice the appeals that would perhaps be going on at the same time.

With respect to the broadness of the inquiry, I have assured people that the terms of reference will be as broad as possible to answer every single question that hon. members might have. I would hope that these assurances would be accepted by the hon. member's party because they have been generally accepted by people across the country.

* * *

[*Translation*]

AUDITOR GENERAL'S REPORT

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, my question is for the Minister of National Defence. The Auditor General reported that \$700 million could have been saved on information technologies at National Defence, had the development of such systems been more carefully planned.

Oral Questions

How can the minister explain that, once again, his department comes first overall in squandering, in spite of the fact that the Auditor General had drawn attention to this problem many times already in the past?

[English]

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, again the Auditor General's report covered the term before this government was elected. Many of the problems he has outlined are being corrected. We agree with many of the points he has raised.

We obviously agree that improvements could be made in terms of management, especially in the information systems area, something which concerns me particularly. I have asked officials to ensure that all future projects in the information systems area are reviewed so that we do meet the expectations of the Auditor General.

[Translation]

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, the Minister of National Defence cannot skirt the issue by throwing the blame on previous governments.

Does the minister not realize that it would be possible to cut \$1.6 billion in his department's budget, as suggested by the Official Opposition, without impeding operations, just by eliminating squandering and unnecessary spending, given the new international order?

[English]

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, again I remind the House that the hon. member's party has called for a 25 per cent reduction in defence spending. This would have severe ramifications on operations.

As we know, the defence committee just issued a report. It is being studied by the government and a white paper will be issued shortly.

If the hon. member has details of how we could save money I would love to receive them. He could table them in the House or send them to me directly. However I doubt very much whether he would have enough projected savings to account for a 25 per cent reduction in expenditures of the armed forces. If we do that, it would certainly have a great effect, especially in his own province as in all other provinces.

PUBLIC SERVICE OF CANADA

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, my question is for the President of the Treasury Board.

The Auditor General says that the workforce adjustment directive must be changed if the government hopes to reduce the size of the public service. The minister is negotiating with the unions now to do just that. However the president of the largest public service union in Canada said: "We obviously will never agree to changes that would weaken the workforce adjustment directive".

Could the minister explain how he can change that directive to reduce job security when the union says up front that it will never agree to it?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, I understood the President of the Treasury Board this week indicated that he was having negotiations with the unions on the possibility of changing the directive. However, I understood him to also indicate that other options were being considered. I think the work on this is continuing. Obviously we will have more than one option when the time comes to make the decisions.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, so far the government has honoured the workforce adjustment directive by encouraging voluntary departure. The cost this year in the Department of National Defence alone is over \$120 million. In fact, some officials are receiving a golden handshake worth \$200,000 a pop.

(1140)

Will the minister admit that the government plans to cut \$5 billion during its program review? This means it will have to change the workforce directive and if not through negotiation then through legislation.

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, there is no doubt that as a result of program review the government will be downsized. It will be downsized for reasons that have been clear to the opposition and to ourselves for quite a while.

There is also no doubt that this will create a problem in terms of workforce reduction. We intend to apply the best possible measures including, as I mentioned, a modified workforce adjustment directive or other options as they become available.

[Translation]

RESEARCH AND DEVELOPMENT

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, my question is for the Minister of Industry.

The federal government spends \$1 billion each year on tax incentives to encourage research and development, its main contribution in that regard being a scientific research and experimental development investment tax credit.

Does the minister deem acceptable that the government not exercise any control over the refund of investment tax credits for scientific research and not conduct any formal evaluation of the impact of this program on the Canadian economy, as the Auditor General pointed out?

[English]

Mr. Dennis J. Mills (Parliamentary Secretary to Minister of Industry, Lib.): Mr. Speaker, I thank the member for his question.

The member is well acquainted with this government's commitment to scientific research and development. As he knows we are currently going through a program review and no final decisions have been taken.

The member also knows that this government has made a very strong commitment to this country's small and medium sized businesses because we believe that is where the new jobs will come. A central component of small and medium sized businesses is research and development. I believe the government will take the right steps to make sure the entrepreneurial spirit we are trying to rebuild stays on track.

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I do not wish to make the minister's hair go even greyer, but will he recognize that the federal government's lack of rigour in the administration of all these R and D investments accounts largely for the poor performance of Canada in that regard, with Canada ranking second to last among G-7 countries?

[English]

Mr. David Walker (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, the Auditor General raised very serious questions about how the SRTC moneys were spent.

Under the old program up to 1985 the tax credit was given out before the expenditures and not after. The current system has much better controls on it. Through Revenue Canada we make sure that the proper expenditures are made before the tax credit is given out.

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NATIONAL REVENUE

Hon. William Rompkey (Labrador, Lib.): Mr. Speaker, my question is for the Minister of National Revenue.

The Auditor General was very positive about the minister's efforts to combat the underground economy to make sure that everybody pays his or her fair share in this country but he also said that much more could be done.

What plans does the minister have for combating the underground economy in future? Could he be specific about projects now in train or planned to combat this situation?

Hon. David Anderson (Minister of National Revenue, Lib.): Mr. Speaker, I have answered many aspects of this question previously.

As the hon. member comes from Newfoundland, I will point out that yesterday we signed an agreement with the province of Newfoundland. It is part of a series of agreements with all provinces across the country so that we can combine audit information and the work of our auditors. We can thus have much more efficiency in what we do. We can increase the revenues to both the provincial and the federal levels of government.

Perhaps most important, this helps cut down on the duplication of government work and the harassment of ordinary honest citizens who presently sometimes find themselves faced with an audit by Revenue Canada and three weeks later faced with another audit by provincial authorities, neither of which have talked to each other.

This new agreement will go a long way to encouraging better revenues for both levels of government and less hassle to the public of Canada.

* * *

(1145)

SMUGGLING

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, the underground probably has two tunnels, the one that the minister has been speaking about and the other one for smuggling into Canada. It seems as though the minister lacks commitment to the enforcement side of Canada Customs. The justice minister said that 70 per cent of the guns used in indictable offences are smuggled weapons and we have a well documented problem with liquor smuggling.

Does the revenue minister agree that his sorrowful lack of priority respecting customs enforcement places law abiding Canadians in jeopardy?

Hon. David Anderson (Minister of National Revenue, Lib.): Mr. Speaker, it is really quite amusing that the Reform Party is constantly telling us to slash expenditures and at the same time fails to point out that we increased the number of customs officers at the border by 25 per cent last February in response to need. If we accepted its general suggestions that

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everything be cut across the board, the situation the member described would be infinitely worse.

With respect to gun smuggling, there is no question that it is a serious problem. We have a country adjacent to us with an enormous population and that country is literally awash in weapons. We have a border which has 130 million transits a year. We have in addition the world's largest trade between any two countries. We have vast numbers of tourists. It is thus impossible to create the type of Berlin wall that the member seems to think would stop the smuggling that he speaks of.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, if the revenue minister took time to understand what the Reform Party was saying, the one area that we would not be cutting is in the area of control and justice. That is one area we would not be cutting.

We have heard this 25 per cent figure before. As a matter of fact I think the minister gave it to us on February 8. Yet there are numerous press reports that indicate customs is in the process of laying off customs people in the front lines. How can he reconcile the difference between his statement and the press reports?

Hon. David Anderson (Minister of National Revenue, Lib.): Very simply, Mr. Speaker. We have increased the numbers overall at the border as indicated.

On the other hand, as the member knows, we have tremendous fluctuations in numbers of tourists who come to Canada at different times of the year. In addition we have differing requirements at different areas of the border. We do move people around within the regions and indeed within Canada as a whole to deal with the demand at certain times.

I specifically refer the member from British Columbia to the extra 65 people we brought into Victoria during the Commonwealth Games to make sure that we had quick and effective customs surveillance at that point.

It is a simple issue of good management by customs officers and not a question as he seems to suggest of reducing enforcement.

* * *

[Translation]

CANADIAN BROADCASTING CORPORATION

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, my question is for the minister of heritage. Yesterday, former CBC chairman Patrick Watson accused the heritage minister of being invisible and lacking the will to protect Canadian cultural industries. We rarely hear such a credible member of the cultural community condemn a minister's inaction so strongly.

Does the minister not agree that Mr. Watson's very strong words about him amply demonstrate once again his lack of leadership and credibility in the cultural community?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, Mr. Watson spent almost all his life in the world of show business and news reporting. Of course, visibility is important in these sectors, but we are in the business of governing and the way to do it is with authority. We do not need to show off. If that is what our Bloc colleague wants, she should do so while we are busy running the country.

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, I wonder who is showing off.

How can the minister reconcile his current position on stable financing for the CBC with the promises he made to the corporation at the time of his appointment as heritage minister?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I think that our colleague is badly misinformed; she should know that the Liberal government helped the CBC avoid a major financial crisis.

(1150)

That is what we have done this year. We allowed the CBC to reposition itself in the 500-channel universe we have heard about. I supported the CBC in this matter. With the help of the finance minister, we will continue to ensure that the CBC remains the flagship of Canadian culture.

* * *

[English]

TRADE

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, the reason for negotiating international trade deals like the free trade agreement, NAFTA or GATT should be to tear down trade barriers rather than build them up. Yet access to the American market has decreased for the Canadian sugar industry due to protectionist measures. In jeopardy are some 1,700 Canadian jobs at the present time.

My question is to the Minister for International Trade. What will the government do to protect the jobs in the Canadian sugar industry and to improve Canadian access to American sugar markets?

Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade, Lib.): Mr. Speaker, I thank the member for his question. I know he is very interested in this issue. I assure him that we are working with the industry. We are pressing the American authorities to give us a response as soon as possible.

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The Minister for International Trade has contacted his counterpart, Mr. Kantor, to ask for a response as quickly as possible. We are hopeful that we will be able to find a solution in the best interest of the Canadian industry.

Mr. Ray Speaker (Lethbridge, Ref.): Mr. Speaker, I have a supplementary question. Can the minister indicate what type of measures the government is planning to put in place in terms of removing some of the protectionist opportunities that the American government may take with regard to GATT or what other measures can be taken that will protect our industry on not only a short term basis but a long term basis as well?

Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade, Lib.): Mr. Speaker, obviously it is good news that we will be seeing fairly soon, hopefully effective January 1, 1995, the introduction of the World Trade Organization as a mechanism whereby all trading partners around the globe will be able to go to it whenever we have a dispute. We will be able to solve it through that mechanism.

When it comes to bilateral relations of course we would have to continue to work within the framework of NAFTA between us and our partners in North America. We are confident that through bilateral negotiation and through the multilateral forum we will be able to resolve many of those issues as my colleague has suggested.

* * *

[Translation]

MULTICULTURALISM

Mr. Mark Assad (Gatineau—La Lièvre, Lib.): Mr. Speaker, my question is for the Secretary of State for Multiculturalism.

In view of the recommendations made by the Reform Party, which wants to eliminate all programs related to multiculturalism, can the minister tell us again how Canadians benefit from the policy on multiculturalism, and can she also tell us if it is worth investing in such a policy? In other words, could the minister shed some light on this issue?

An hon. member: Let us see the light, madam!

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, I would certainly like to help them see the light, but I do not know if it is possible.

[English]

For less than \$1 per Canadian per year, I think we are getting the best investment possible for our money, less than the cost of a chocolate bar, in order to ensure social peace, social cohesion and a country of prosperity that includes all Canadians.

I suggest to my colleague, who is a very concerned and considerate member representing a wonderful riding on the tip of Quebec between the two borders, that the amount of money

we invest and the efforts that are deployed jointly by many groups in this country puts us at the forefront of fighting bigotry, racism and prejudice that is still found in the minds and hearts of many Canadians, contrary to certain thoughts expressed elsewhere in this House.

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[Translation]

AUDITOR GENERAL'S REPORT

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, my question is for the Minister of National Defence.

In his report, the Auditor General criticizes the defence department for mismanaging its capital assets and wasting over \$100 million per year in the process.

(1155)

Given the magnitude of the problem and the need to reduce government spending, will the Minister of National Defence demand that the senior officers of his department provide him with a plan to quickly correct this totally unacceptable situation?

[English]

Hon. David Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, in the last year there has been a virtual management revolution in the ministry of defence.

We are trying to have many services contracted to the private sector. We are trying to adopt many private sector methods such as in warehousing, in having on time just in time delivery where suppliers actually keep the particular components rather than having them stored. We are in the process of installing a state of the art computer system that will keep track of all of the components in the materials group. Indeed, we have restructured the materials group, which is the largest section of national defence, in charge of procurement and administration of all big capital programs. We have totally restructured that and in the next year there will be more and more layers of management eliminated. I think when it is all done the taxpayers will get better value for their dollar.

* * *

CRTC

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

When the CRTC issued its decision after the restructure hearings it decided not to allow the American company Direct TV into Canada. The industry minister and the heritage minister have met with Power Corp and have jointly decided to disregard the CRTC decision.

Oral Questions

Given the confusion and speculation surrounding this decision, is the minister prepared to explain the cabinet decision to override the CRTC?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I would like to take this question under advisement so that I may consult my colleague.

* * *

NORTHERN TAX ALLOWANCE

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, this year will see the phasing out of the northern tax allowance program initiated by the previous Tory government. Residents of hundreds of northern communities will lose the benefit that recognizes their residential distance from federal government services.

Is the Minister of National Revenue or officials in his department prepared to reconsider the elimination of this valuable program to ensure that tax increases are not now going to be unnecessarily forced on northern residents?

Mr. David Walker (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, this issue has been raised several times by the governments of the north. As part of our pre-budget consultations we are receiving representations on a number of very important issues that affect the budgets and the lifestyles of northerners. We will continue to listen to these in the next few months.

* * *

NATIONAL DEBT

Ms. Marlene Catterall (Ottawa West, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Finance.

My constituents have been asking me what they can do to help with our debt and deficit problems. They are especially worried about our foreign debt and say it is time for a victory bond program to help us buy back that debt.

I want to ask the parliamentary secretary if the minister is taking this proposal seriously and what exactly is he doing about it.

Mr. David Walker (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, this idea has been presented not only to the Minister of Finance but also to the committee on its travels throughout the country.

It shows an anxiousness that Canadians have to see the deficit resolved and their willingness to participate in widespread efforts to bring down that deficit. We are looking at a number of instruments including the victory bonds to ensure there is opportunity for Canadians to help us out with this very difficult task.

SMUGGLING

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, in the Auditor General's 1993 report it was indicated that police forces are concerned that a serious firearms smuggling problem exists and appears to be increasing.

Inasmuch as this government has been unable to stop the smuggling of tobacco, drugs, and alcohol into this country, how does the Minister of National Revenue propose to stop or reduce the smuggling of guns into this country?

Hon. David Anderson (Minister of National Revenue, Lib.): Mr. Speaker, the hon. member should be aware that we have one of the most effective customs services in the world which operates extremely efficiently along our border.

He should also be aware that the numbers of officers have been increased substantially within the last year, indeed in February of last year and thereafter.

He should be aware because his specific concern is that of firearms that we have a situation involving our border with the United States, a country which has a vast number of weapons, a country which has a tradition of people both carrying and using weapons which is quite foreign to our own. It is very important for us to use, as we are doing, modern equipment, dogs to sniff out weapons, which they can do and also as many custom officers as we can. We are using all possible means to intercept weapons at the border.

(1200)

However, I warn him that it is not possible—

* * *

[Translation]

PATENT ACT

Mr. Maurice Dumas (Argenteuil—Papineau, BQ): Mr. Speaker, my question is for the Minister of Health.

When she was in Winnipeg, the minister told a group of seniors that the government intends to amend the legislation on drug patents, the old Bill C-91, this in spite of the commitment made on numerous occasions by her colleague, the Minister of Industry, not to review this legislation before 1997.

Are we to understand that the minister has already made up her mind and that she intends to propose a reduction of the exclusivity period for patents when the legislation is reviewed, which should normally happen in 1997?

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, my comments were certainly not interpreted correctly. What I said is this: We intend to review the drug patent legislation, that is Bill C-91, before 1997. This is what we have been saying since the very beginning.

I mentioned, for example, the problems we are experiencing with the use of medication by certain groups, including elderly people, who often use drugs without being in possession of the necessary information. In recent years, we have noticed an increase in the number of prescriptions. This costs governments a lot of money and is a real source of concern.

As for generic products, I increased the departmental staff responsible for reviewing applications for these products, because no name drugs help us keep costs under control.

ROUTINE PROCEEDINGS

[English]

ORDER IN COUNCIL APPOINTMENTS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments which were made by the government.

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

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 13 petitions.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 51st report of the Standing Committee on Procedure and House Affairs regarding its April 19, 1994 order of reference in relation to the Electoral Boundaries Readjustment Act.

This report is the first being tabled in accordance with Standing Order 68. Your Honour will recall that the committee was directed to draft and bring in a bill on this subject. Therefore the report includes a draft bill entitled an act to provide for the establishment of electoral boundaries commissions and the readjustment of electoral boundaries.

I know all hon. members will be interested in the contents of the report. The draft bill makes fascinating reading. I thought with the weekend coming up members might want to take it

Routine Proceedings

home for the weekend. Accordingly I am pleased to table it today.

I am also pleased to present the 52nd report of the Standing Committee on Procedure and House Affairs regarding the associate membership of the Standing Committee on Government Operations.

If the House gives its consent, I intend to move concurrence in the report later this day.

(1205)

[Translation]

INDUSTRY

Mr. David Berger (Saint-Henri—Westmount, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Industry on Bill C-46, an act to establish the Department of Industry and to amend and repeal certain other acts.

The committee has examined and agreed to report the bill, with amendments. I would like to thank witnesses, members and staff for their contribution to the committee's proceedings.

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, with leave of the House, I move, seconded by the Parliamentary Secretary to the Minister of National Defence, that the 52nd report of the Standing Committee on Procedure and House Affairs presented to the House today be concurred in.

(Motion agreed to.)

* * *

[English]

PETITIONS

HUMAN RIGHTS

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, I have four petitions to present today. The first petition requests that the Government of Canada not amend the Human Rights Act to include the phrase sexual orientation.

The petitioners fear that such an inclusion could lead to homosexuals receiving the same benefits and societal privileges as married people.

THE FAMILY

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the second petition is on the subject of the family.

The petitioners request that Parliament oppose any legislation that would directly or indirectly redefine the family, including the provision of marriage and family benefits to those who are not related by ties of blood, marriage or adoption, where marriage is defined as the legal union between a man and a woman.

Routine Proceedings

CHILD CARE

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the third petition is on the subject of child care.

The petitioners believe that current federal government child care policies are intrusive and discriminate against many families. The petitioners request that Parliament oppose any legislation that will increase child care expenditures or that attempts to regulate day care standards at the federal level.

OFFICIAL LANGUAGES

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the fourth petition is on behalf of the citizens of Brant riding.

Given that the majority of Canadians are opposed to the official languages policy imposed on them by a former Liberal government, the petitioners request that a referendum be held to either accept or reject this flawed policy.

ASSISTED SUICIDE

Mr. Rex Crawford (Kent, Lib.): Mr. Speaker, I am proud to once again rise in the House pursuant to Standing Order 36 to present several petitions bearing many hundreds of names on behalf of constituents of Kent, Lambton, Sarnia and Essex. The petitioners wish to draw the attention of the House to the following.

The majority of Canadians are law-abiding citizens who respect the law. They respect the sanctity of human life and believe that physicians should be working to save lives, not to end them.

Therefore, the petitioners pray that Parliament ensures that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

RIGHTS OF GRANDPARENTS

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, pursuant to Standing Order 36, I present petitions on behalf of British Columbians.

They ask the House to amend the Divorce Act to include the right of grandparents to stand before the courts during divorce proceedings. Grandparents can then ask the courts for access to their grandchildren.

ASSISTED SUICIDE

Mr. George S. Rideout (Moncton, Lib.): Mr. Speaker, I have two petitions to present. The first one is the same as the one presented by the hon. member for Kent dealing with assisted suicide.

MINING

Mr. George S. Rideout (Moncton, Lib.): Mr. Speaker, this is Mining Week, which allows us to publicize our efforts to keep mining in Canada.

I have a petition pursuant to Standing Order 36 that calls on Parliament to take action which will see employment grow in the mining sector, that exploration will be promoted and we can rebuild Canada's mineral reserves, sustain mining communities and keep mining in Canada.

(1210)

[Translation]

RAIL TRANSPORTATION

Mr. André Caron (Jonquière, BQ): Mr. Speaker, I have the honour to present a petition signed by 500 residents of the Saguenay—Lac-Saint-Jean, who, considering rumours that the passengers railway connection between Jonquière and Montreal will be closed, are asking for a moratorium before any decision is made and for public hearings to be held so that the people of the Saguenay—Lac-Saint-Jean can express their concerns and present arguments in favour of maintaining this railway connection.

* * *

[English]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 81 and 84.

*[Text]*Question No. 81—**Mr. Harper:**

With respect to each of the following projects, what was the result of the cost benefit analysis conducted by the office of the Minister responsible for Infrastructure: (a) the construction of a park building and Canoe Hall of Fame in Shawinigan, Quebec, (b) the construction of bocce courts in Toronto, Ontario, (c) renovations to Northlands Coliseum and Ducey Park reconstruction in Edmonton, Alberta, (d) renovations to the Calgary Saddledome in Calgary, Alberta, (e) removal of overhead wires in Shelburne, Nova Scotia, (f) construction of world class marina at Lewisport Harbour by Gateway Development Inc. in Newfoundland, (g) development of two residential development areas for the Ebb and Flow First Nation, (h) redeveloping duck/pond gardens in Winnipeg, Manitoba, (i) air conditioning a community hall in the Village of Debden, Saskatchewan and (j) construction of a building to accommodate circus training and production facilities for Cirque du Soleil in Montreal, Quebec?

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): The federal office of infrastructure does not conduct formal cost benefit analyses of infrastructure project proposals. It is responsible for setting up national framework agreements and reviewing project proposals received from federal implementing agencies and departments.

Government Orders

Costs and benefits are determined at the provincial and local levels. To be eligible for funding under the program, projects submitted by local partners must meet certain provisions of the national criteria established in the framework agreements between the federal government and the province or territory.

Question No. 84—Mr. White:

How many federal inmates currently receive each of the following payments: (a) old age security, (b) Canada pension plan, (c) income supplement, (d) unemployment insurance and (e) GST rebates and what crimes were they incarcerated for?

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): I am informed by the Departments of Human Resources Development and Revenue Canada as follows: (a), (b) and (c). Under Canada pension plan and old age security legislation, beneficiaries are entitled to continue receiving benefits while in prison.

However, to answer these parts would require the exchange of information on inmates between Human Resources Development Canada and Correctional Service Canada. The existing Old Age Security Act and Canada pension plan/income supplement legislation do not permit such an exchange.

On October 7, 1994, the Minister of Human Resources Development tabled a bill, C-54, which proposes to amend these two acts to allow for better information sharing between government departments. The Solicitor General has also tabled a bill, C-45, allowing for similar amendments to the Corrections and Conditional Release Act. These, if enacted, will allow for the exchange of information necessary to respond to these parts.

(d) Section 32 of the Unemployment Insurance Act specifically denies payment for the period during which a claimant is an inmate of any prison or similar institution.

There are control programs in effect to enforce this section of the act.

Human Resources Development Canada is not aware of any inmates receiving payment of UI benefits during a period of incarceration.

During this calendar year, January to August, there have been 1,688 disentitlements imposed denying benefits for the reason that the claimant is an inmate of a prison or similar institution.

The courts, however, are providing a more varied approach when imposing sentence on certain offenders. Payment may be made to persons serving a sentence who are not confined to an institution and who meet all the conditions of entitlement. Examples of this would be incarceration during weekends or evenings only, or electronic surveillance.

As to the question what crimes were they incarcerated for, this is of no relevance to the determination of entitlement to UI benefit. Accordingly, information on the reasons for incarceration are not collected.

(e) Correctional Service Canada provides to Revenue Canada the following information: name; date of birth; date of incarceration; date of release and nature of parole arrangements if any. This information is used to ensure that only those individuals who are entitled under the law to GST credit benefits receive them. Inmates who are confined to prison at the end of the taxation year, and had been so confined for at least six months in the year, are not eligible to apply for the GST credit benefits.

The latest information concerning the number of individuals who received the GST credit would be based on the 1993 taxation year. However, the number of federal inmates who received the GST credit is not data that is accumulated for purposes of administration of the Income Tax Act. This information is not readily available and would require a considerable expenditure and reallocation of resources to assemble. The reason for the incarceration is not provided to Revenue Canada as it is not a determining factor in providing GST rebates. To determine the nature of the incarceration of any GST credit recipient, income tax information would have to be communicated to Correctional Service Canada and that is precluded by the confidentiality provisions of the Income Tax Act.

[English]

The Deputy Speaker: The questions as enumerated by the parliamentary secretary have been answered.

Mr. Milliken: I ask that the remaining questions be allowed to stand.

The Deputy Speaker: Shall the remaining questions stand?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

YUKON SURFACE RIGHTS BOARD ACT

The House resumed consideration of the motion that Bill C-55, an Act to establish a board having jurisdiction concerning disputes respecting surface rights in respect of land in the Yukon Territory and to amend other Acts in relation thereto, be read the third time and passed.

Mr. André Caron (Jonquière, BQ): Mr. Speaker, in concluding, I simply want to say that as far as aboriginal land claims are concerned, whether we are talking about Canada or Quebec, I think it is important to put this debate in its proper historical and geopolitical perspective.

I also wish to emphasize that at the negotiations, a spirit of justice and tolerance should prevail, both among federal and provincial authorities and leaders of aboriginal communities. I think anyone with political responsibilities in Canada has a moral responsibility to ensure that in these discussions, we do everything in our power to avoid making accusations that are sometimes unfair and that merely create ill feeling, so that the people of Quebec, the people of Canada and the aboriginal

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peoples concerned can live in harmony on Canadian and Quebec territory, and this vast issue of aboriginal land claims will finally be settled in Canada as far as possible.

I agree one can never obtain satisfaction on all aspects of these claims, but I think that if we develop a spirit of justice and tolerance, we can conclude agreements that are acceptable to the various communities concerned.

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, I wish to make a brief comment.

I listened carefully to the speech by my colleague from Jonquière. I am proud to be the colleague of this member who spoke very openly and generously about the native communities. It would be so easy to make speeches that raise tensions and play on the public's emotions, in short, to engage in demagoguery.

The member for Jonquière took a radically different approach. His speech well reflects the thinking of Quebecers on this issue and I call on all members of this House to reread my colleague's speech. It is an unfailing source of wisdom in dealing with the issue of respecting native rights.

[English]

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, I have only a few comments to make at third reading of Bill C-55, Yukon Surface Rights Board Act.

It gives me a considerable amount of pleasure to see this bill, having come through all stages, and be able to say a few words at the conclusion of the debate.

(1215)

At the same time I want to congratulate the parties that were involved in the negotiation of the agreement and in the execution of the legislation that has led us to this point. A couple of very specific congratulations, one to my own leader, the member for Yukon. The member for Yukon has been actively engaged in the discussion, debate and negotiations leading up to this point today.

I commend to the House the work that she has been able to do for her constituents, members of the Council for Yukon Indians, members of the communities of Yukon, all residents of Yukon. The member for Yukon has spent a considerable amount of time relaying information in one direction, discussing with ministers, parliamentary secretaries, committee chairpersons throughout the course of the debates on all three parts of Yukon self-government and land claims process which concludes the proclamation of this act.

I was very pleased to have been in a number of meetings that the member for Yukon initiated and attended. I am very pleased to have been able to work with her throughout this process as the New Democratic Party's aboriginal affairs and northern development critic.

I also want to congratulate the people of the Council for Yukon Indians and all of the people from Yukon who have worked so hard for so long to ensure that this day would come. A lot of changes have been made in people's positions and attitudes over the years, that this idea has been in front of not only the people of Yukon but now the people of all of Canada. I congratulate all of those who over the years have been involved so diligently in this process.

I would like to now spend just a couple of minutes indicating to those who are tuning in this afternoon for the first time some idea of what is in front of us on this bill that we are concluding today and to indicate to the House that I and my party are very pleased to support the legislation in front of us, just as we were pleased to support the previous two bills that are part of this three part package.

We know that Bill C-55 is a companion piece of legislation to what was Bill C-33, Yukon First Nations final land claims settlement act and Bill C-34, Yukon First Nations self-government agreement. Both acts were passed in the spring session of this Parliament but they will not come into effect until this act, Bill C-55, is concluded.

Bill C-55 establishes a process in Yukon for obtaining access to private and public lands based on models used in the western provinces. I come from Saskatchewan, a province that successfully negotiated a land entitlement agreement with a large number of the aboriginal communities in our province. I am very pleased to be able to see that models which were discussed in Saskatchewan are being useful in the negotiations of agreements in other locations.

The bill in front of us also establishes Yukon surface rights board to resolve disputes between parties guaranteeing access to vast holdings of private land.

The bill is very technical. Anything that subjects parties to an agreement has technical aspects to it. In essence Bill C-55 provides guidelines whereby land disputes will be settled by the surface rights board. Under the legislation a person may apply to the board for the arbitration of a matter only after that person has first attempted to negotiate an agreement with the other party.

The board will have jurisdiction over other matters such as the disputes between persons holding surface rights and those holding subsurface rights, the amount of compensation for the expropriation of settlement land, and the amount of compensation for pockets of government lands retained within settlement lands.

(1220)

If parties cannot reach agreement in a matter relating to access to lands the board has the power to establish the terms and conditions of a right of access, award compensation for the right of access and for damage resulting from that access, and periodically review orders previously made by the board with regard to land disputes. Orders by the board are final and binding. Final decisions are enforceable through the Supreme

Court of Yukon territory. The board will not retain any permanent staff and will meet only as needed.

As well, the bill confirms the legal rights of minors and is said to address concerns raised over the need for certainty pertaining to land title in Yukon. Greater certainty pertaining to land title will facilitate exploration and resource development in Yukon, matters that we know go to the heart of the economy of the territory.

I would also like to indicate that final passage of Bill C-55 clears the way for implementation of four Yukon First Nations land claim settlements already negotiated and will trigger financial compensation agreements already signed with these four individual First Nations.

Earlier in the debates on this bill when my leader, the member for Yukon, spoke she indicated a couple of things that I would like to repeat for the benefit of the House as we close the debate today.

I quote the member for Yukon representing her constituents' interests in this bill. She stated in the House of Commons on November 1, 1994: "Bill C-55 ensures that all Yukoners, aboriginal and non-aboriginal people, have the tools to move forward with the certainty that is necessary for business with the respect and dignity accorded to First Nations in Yukon and that will lead toward self-sufficiency for Yukon territory.

"What we are showing can be done within Canada is that we can respect the languages, the cultures and the historic traditions of all peoples within a certain territory and we can do it under the flag of Canada".

These are very important words looking at a long history of negotiation of a very difficult matter that now seems to have been resolved quite peacefully and satisfactorily.

We in the New Democratic Party are proud of the work of all those who have been involved in this process and we are pleased today to commit ourselves to agreement on Bill C-55.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to, bill read the third time and passed.)

Mr. Boudria: Mr. Speaker, there has been some discussion among members in the House to proceed immediately to private members' hour. I see the proponent of the private member's ballot item in the House.

Private Members' Business

I think if you were to ask for that consent you would find that the House is now prepared to move to private members' hour.

The Deputy Speaker: Is there unanimous consent to proceed to Private Members' Business?

Some hon. members: Agreed.

The Deputy Speaker: The hon. member for Burnaby—Kingsway has given written notice that he is not able to proceed with his motion on Monday, November 28, 1994. Most regrettably there have been, I am told, 30 members who have been contacted to ask if they could fill in on Monday and none of the 30 to my knowledge has indicated that he or she is willing to do that.

Accordingly, since we cannot exchange the debate for Monday, I would direct the table officers to drop the item of business to the bottom of the order of precedence. Private members' hour will thus be cancelled. Pursuant to Standing Order 99(2), the House will meet to consider Government Orders at 11 a.m.

(1225)

[*Translation*]

There is unanimous consent for the House to proceed now to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

DIVORCE ACT

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.) moved that Bill C-232, an act to amend the Divorce Act (granting of access to, or custody of, a child to a grandparent), be read the second time and referred to committee.

She said: Mr. Speaker, I rise today to begin the debate on Bill C-232, an act to amend the Divorce Act. I am speaking today on behalf of all our grandchildren who are without their grandparents at this time and on behalf of all the grandparents in Canada who have worked long and hard to convince the legislators of Canada that this bill is necessary.

In the time I have to speak today I would like to go through exactly what this bill sets out to accomplish and then discuss the need for the bill. Finally, I will attempt to give enough reasons so that all members of this House can unite in support of this bill.

The main purpose of Bill C-232 is to fill a void in the Divorce Act in the area of access and custody. At present only parents of a child are allowed to discuss access and custody in a court in the case of divorce. The practical effect of this is that grandparents

Private Members' Business

who may have spent considerable time with their grandchildren have no automatic right of standing in court.

At the present time if grandparents are concerned that this access might be cut off as a result of the divorce, they must first seek leave of the court to raise the access or custody issue. Should leave be granted, then and only then have they a right to ask the court to put a right of access clause for them as grandparents in the divorce decree of the parents.

Dealing specifically with the provisions of the bill, the first clause would amend section 10 of the Divorce Act. This is the section of the Divorce Act which deals with access and custody. Under clause 1, grandparents would have standing in court to seek either access or, I suppose in some exceptional circumstances, custody of the grandchildren.

Clause 2 of the bill seeks to amend section 17 of the Divorce Act dealing with applications to vary access or custody orders. Therefore, if at a time after the order for access or custody was granted under section 16 and it was found that the original decision was not appropriate, then it would be open to the grandparents to go back to the court just as parents can do to seek amendment of the original order.

Again, with the adoption of this clause grandparents would have the automatic right to standing in the court should either the parents or they seek to wish alteration of the original access or custody order.

Finally, the bill would add a new clause to the Divorce Act which deals specifically with the amendments contained in Bill C-232. This new clause requires that the clauses contained in this bill be referred to an appropriate committee of this House four years after their coming into force so that a committee of this House can review the effectiveness of the provisions.

One part of the bill I did not refer to is clause 2 part (2). This clause seeks to amend subsection 16, part (5) of the Divorce Act. It would give grandparents who have a right of access a right to make inquiries and to be given information as to the health, education and welfare of the child.

I have had discussions on the legality and appropriateness of this clause with my friend on the other side of the House, the member for Nepean. My friend from Nepean has a private member's bill on the Order Paper quite similar to Bill C-232. We have approached this matter in a non-partisan fashion.

She has brought to my attention that this subclause could give grandparents more rights than the parents of the children presently enjoy. This subclause may also contravene privacy acts or rights of the child which may exist by statute or common law.

Therefore while procedurally it cannot be removed at this time, I trust when the bill gets to committee this clause can be deleted.

While I am dealing with technicalities, I thought it important to bring to the attention of the House the wording of the new Quebec Civil Code as it relates to grandparents and the issue of access arising out of divorce of the parents. It states in section 611:

In no case may the father or mother, without a grave reason, interfere with personal relations between the child and his grandparents.

Failing agreement between the parties, terms and conditions of these relations are decided by the courts.

Therefore in Quebec, thanks to the Civil Code, grandparents enjoy the right of standing in court and therefore this bill would compliment the Civil Code or simply not be operative in the province of Quebec, as the matter is already covered by legislation.

Having dealt with what Bill C-232 does, it is important now to turn to the need for such legislation.

(1230)

This proposal has a long history. In the last Parliament it appeared as a private member's bill in the name of the former member for Delta from the Progressive Conservative Party. In this Parliament there is a private member's motion by the member for Winnipeg Transcona. The subject matter has also been the subject of the member for Ottawa West's householders. Of course my good friend from Nepean also has a private member's bill on the Order Paper dealing with the same subject matter.

Therefore, the subject matter of this bill receives wide support in the House. For that reason I want to make it clear this is not a partisan issue, not a Reform issue, not a political issue, but a grandchildren's and a grandparents' issue, a human issue which has to be addressed now.

When we discuss grandchildren we usually envision a happy family scene with the entire family present. Perhaps it is a holiday time like Thanksgiving or Christmas, when grandparents are always a part of the celebration, or Mother's Day or Father's Day, when a special part of the day recognizes grandparents as well as parents, with gifts made by children who are also grandchildren.

It is my sad duty today to remind Canadians everywhere that this happy scene is not always the case, that in fact many of our senior citizens no longer have happy Christmases or Thanksgivings, or any other holiday celebrations, because one of the major parts of the whole is missing. Many Canadian grandchildren no longer see their grandparents.

I suppose many of us, busy with our lives, never took the time to care or find out that some Canadian families are missing vital parts to keep them whole. We cannot do anything about the growing divorce rate which seems to know no check point. These are adults who must make their own decisions. We can address the needs of the family members for whom no one seems to be speaking, the rights of the grandchild, the rights of

all our grandchildren to see, to visit, to talk to their grandparents.

The movement for this type of legislation, which will only give grandparents standing before the courts, began a number of years ago in 1986 in British Columbia with the founding of the Canadian Grandparents' Rights Association. Now we have other chapters across Canada.

In Ontario, one grandparents group goes by the name of Grandparents Requesting Access and Dignity or GRAND. Another Ontario support group is Grandchildren/Grandparents' Rights of Wholeness through Heritage or GROWTH. It was formed by the group of grandparents concerned over the failure of provincial and federal legislation to adequately address the issue of grandchildren's rights to visit with their grandparents.

All these groups and others I have not yet mentioned are trying to address grandchildren's rights. Article 5 of the convention of the rights of the child, which was adopted by the General Assembly of the United Nations on November 20, 1989, requires state parties to respect the responsibility, rights and duties not only of parents but also of members of the extended family.

Article 16 of the said convention provides that no child shall be subjected to arbitrary or unlawful interference with family. Preventing a child from seeking his or her grandparents without just cause is unlawful interference with family. It is important that we look at why it is important that contact between grandchildren and grandparents be maintained after the divorce of the parents.

Would it simply not be cleaner and neater to cut off access so the children of the divorce, the memories of grandparents and the way it used to be when mommy and daddy lived together simply faded with the passage of time? Fortunately this is not the opinion of experts in the files of family psychology. Anton Klarich, chief psychologist of the French language separate schools in Essex county states: "A tremendous amount of love and security can go a long way to help children who are worried about what lies ahead of them in an increasingly uncertain world".

Klarich was referring to a report released in August 1993 by the Ontario government which showed that children as young as 10 are overwhelmed by the helplessness that grips family members worried about personal and financial problems. The children absorb feelings of insecurity, worry and fear. Klarich says: "With such a scenario it's good to know there is someone

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there within a child's family, the grandparents, who always provide love and stability".

This short poem reflects just such a feeling of love and security instilled in a young grandson by his grandpa entitled "Grandpa and Me":

He's never too busy to listen
 He's never too tired to play
 We go up on a hill and down together we ski
 My Grandpa and me.
 We go camping and we go fishing
 A great fisherman is he
 And then we sleep out under the trees#
 My Grandpa and me.
 I know that someday he will leave me
 And I'll be as sad as can be
 But I'll always remember the good times we had
 My Grandpa and me.

This poem was written by an 11-year old grandson and I think he says it all very well. Lynn Wells, chief psychologist for the Wellington Board of Education in Guelph, Ontario, believes that grandparents contribute to the upbringing of grandchildren in more positive ways than they realize.

(1235)

Her quote:

Young children create their self-concepts from the comments that people give them. So the more positive and loving people that are around them, to give them different perspectives of themselves, the more widely developed their self-esteem is.

A study in 1986 at the University of Guelph found that grandmothers have an innate tendency to respond to the needs and emotional upheaval of a grandchild.

The study was conducted by Jim Gladstone, a professor of social work surveyed 80 grandmothers in southwestern Ontario whose children had divorced or separated. Gladstone has said: "Previous research on children of divorce suggest that young children have very little opportunity to talk about the break-up. Grandmothers seem to be prepared to talk and listen to their grandchildren".

I want to share with members a poem written by a grandmother who has been denied access to her grandchildren. I believe she is asking us to listen:

The Voice of the Children

We've given our all or we wouldn't be here
 And I'm saddened to say we don't have the ear
 Of those, who we pray, might listen to us,
 Until then we'll cry and try not to fuss—
 Or worry about the children we love—
 May they be safe, while God up above
 Listens and answers our prayers from the heart—
 While giving us guidance and some way to chart
 A way, to the children, so near yet so far—
 Hoping their plight is not going to mar

An innocent child, whose crime was to be Bonded
 to parents who don't wish to see
 The child is a victim, who does not deserve
 To be treated as chattel—the purpose they serve
 When used in a battle they can't understand—
 Their cries go unheeded—the laws of the land
 Must soon see the light, in the grandparent's role,
 Until then, their lives are the terrible toll

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That are paid, while they suffer, alone, with no way
 To fight for their rights, with so little say
 In who they might see or what they may do—
 To whom they can speak—yet never to you—
 Do they forget—believe we don't care?
 I pray they are happy and not as aware

As I, who am saddened, with each passing day,
 Not seeing their sweet little faces, at play—
 With tears, never ending, at least in my heart
 Each day is forever that we are apart—
 Grant me some wisdom—the strength I will need
 To comfort another, for I know how they bleed—
 In their anguish and sorrow they look for a sign
 As their tears intermingle, so freely, with mine—

All children are precious and sacred to me—
 We're fighting a battle to help them be free
 Of parents who own them—both body and soul
 As long as I live may this be my goal!
 They suffer, in silence, and never a word—
 The voice of the children needs to be heard!

This poem is both a statement and a question. It is from one of our many hurting grandparents.

Ruth Isbister, Toronto author of *Grandparents Don't Just Babysit* says that the role and function of grandparents as the connection between past and future has not changed nor has their natural ability to make a child feel special. "You transfer a feeling of confidence to your grandchild". By their presence, grandparents add something to the child's comprehension of the continuity of life.

In fact one of the leading jurists in the United States in the area of grandparents' rights stated in 1992 that there were over three million children nationwide in the states being raised by grandparents.

The case for grandparents' rights has also been captured dramatically in the brief submitted by the Canadian Grandparents Rights Association of Richmond, B.C., to the Department of Justice. I would like to quote some passages from this brief:

The experience of the grandparents' society shows that the true safety net with regard to child rearing is not the state but the grandparents.

It is important to understand that this safety net is provided by grandparents not based upon the hopeless inefficiency of state bureaucracies. It does not function on the basis of filling out forms, making appointments, or qualifying by any test, nor is it governed or supervised by a psychologist, a counsellor, a therapist or a mediator. It is usually available on a phone call, the call often being a product of an emergency and attracts no publicity at all. It does not become an occasion for grandstanding in the press or in the courts.

The brief goes on to say:

At present when there is a family break-up and the need to look after children, there is no obligation on the state to even notify members of the extended families, let alone consult with them, although state agencies will occasionally issue statements suggesting that that is the policy. In fact the state's policy is that the family ends with the parents which defies the social practice of Canadians across the country. In dealing with aboriginal communities in B.C. the same policy has come to be quite otherwise. An Indian band for instance will be notified if children of a band member have been apprehended. They will be given every assistance to look after the child within that community.

(1240)

It is not clear to us why a perfectly sensible policy now developing in the case of aboriginals should be denied the overwhelming majority of Canadians. "This, with regard to grandparents specifically, where they are often more than ready to look after the children of a broken family.

When family is available, grandparent or extended family, it should be preferred to strangers in matters of custody, and that should be a statutory presumption. Access should be provided to grandparents also by a legal presumption, so that a parent who would deny it will have to make that case, will have to go to a judge and persuade".

I think you will agree this is pretty powerful stuff. On the other hand it is written by people who have contributed to society for a great many years and are now frustrated by the rules of that society.

There is another issue here we need to address. We have a growing crime rate with young offenders. Jails are crowded already. Is it not time we began to use common sense and preventive measures? We must reach children before they begin school. This is not a problem to be dumped on teachers. It begins in the home. Responsibility begins in the home.

Why then are we ignoring the very group in our society who can help build strong character and a sense of responsibility within our children, our senior citizens. They are experienced. They are wise. They are loving. They are willing to help, yes, willing to help.

I recently had the honour of listening to Judge Andrea Ruffo speak of her concerns that children know they are loved and needed, that they are encouraged to try to follow their dreams. Grandparents have the time to discuss our grandchildren's dreams with them and to encourage them.

I am not suggesting that all grandparents should have access to their grandchildren. I know there are some problems. That is why I stress the courts will make the decision in the best interests of the child. We must not punish 95 per cent of grandparents for 5 per cent of the problems.

Bill C-232 is designed to relieve some of this frustration. We owe it to these grandparents and we owe it to the grandchildren to see this bill passed into law. This is the year of the family. Families should include grandparents and great-grandparents. It is important that grandparents be given the rights set out in the bill.

Ladies and gentlemen, members of the House, we can do something. We have been sent to Parliament to make a difference. The passage of Bill C-232 will not cost the Canadian taxpayers anything except the cost of a stamp to alert grandparents when the divorce case will be heard before the courts. This bill will only give Canadian grandparents the right to be heard.

Private Members' Business

Access will only be granted if the judge feels it is in the best interests of the grandchild.

We often say we can do nothing. We have no excuse to say today we can do nothing. If and when this bill goes to committee, necessary changes can be made if it is decided in the best interests of the child.

Bills are amended every day if necessary. Here we can address a problem too long denied in our country, the right of the child to his or her family. May I suggest that this is such a time to relieve the frustrations of grandparents not able to visit or see their grandchildren.

I know that some will question the appropriateness of this bill because it deals with the problems of a very small group of people. It can be argued that this type of change should be made in the context of an overall review of family law at the provincial level. There it could deal with common law relationships and with children put in foster homes.

I can tell you that the grandparents groups that tried this avenue have been given the usual bureaucratic runaround. It is time to do something positive for those who helped to build this great country, grandparents. If this bill is passed and becomes law then perhaps the provincial jurisdictions will move to broaden the group who could benefit from such as law. However, let us, the members of this federal Parliament, take a stand today and get on with this bill.

May I remind the House our Prime Minister on his recent tour to China made the comment that representatives of different political stripes can pull together for the benefit of the country and all Canadians.

As I said at the beginning of my speech this is not a partisan issue. I hope and I know grandparents across the country hope that the government will support this measure so that it will be passed into law and fill one of the large holes in the Divorce Act. The voice of the children needs to be heard.

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, I am very pleased to speak to Bill C-232, an act to amend the Divorce Act which is the granting of access to or custody of a child to a grandparent proposed by my colleague, the member for Mission—Coquitlam.

It is especially important to note, as she has mentioned in her comment, that I am standing in support of this bill. One of the nice things that can happen in this House is that members from different parties can agree on an issue when it is relevant to all Canadians. It is particularly relevant in this International Year of the Family that we are discussing this important relationship between grandparents and grandchildren. More important, we are talking about protecting that relationship.

(1245)

I am a grandparent. As we all know grandparents can and do play an important role in the psychological and social development of grandchildren. They provide an additional source of love, affection, support and understanding, all of which serve to enhance the child's self esteem and confidence.

Grandparents serve as mentors and as teachers to their grandchildren, giving them the benefit of years of experience and a sense of their roots that cannot be obtained from any other source.

Especially important is the relationship between grandparents and grandchildren when families dissolve and separate. Children are the innocent parties of a marriage breakup. They are the ones who are least capable of coping or understanding the problems that divorce creates. As a result, their disrupted lives and broken hearts need healing. They need someone who can hold them together in this very complicated and stressful time.

Grandparents do play an integral role in this process of healing. Grandparents give a real sense of security and continuity. They provide a sense of being wanted and loved. A grandparent's love is unconditional.

Despite the positive role that grandparents play in the lives of their grandchildren prior to the family breakup, during separation and after the divorce they often do not have access to these vulnerable young people. As a grandmother it is very difficult for me to understand not having access to my wonderful grandchildren.

They are sometimes denied the right to visit or to have contact with their grandchildren. Grandparents rights organizations across Canada have thousands of documented cases where grandparents have been obstructed from contacting their grandchildren.

I recall a case in Toronto in which a woman lost contact with her seven year old grandson when her former daughter-in-law refused to take her phone calls or allow her any visitation rights. After considerable attempts to contact the mother in order to work out some kind of visitation, the grandparent was charged with phone harassment and thrown in jail, locked up with the criminals.

Yesterday I received a letter from a grandmother in my riding of Nepean relaying her anguish to me over her inability to see her young grandson. I would like to quote from her letter. She says: "Because of a pending divorce I am having difficulty seeing my grandson and this is a cause of constant pain in our family. We waited 11 years for a grandchild. Much of the joy of this wondrous event is now tarnished as we have no right to access. Denying or making it difficult for us to visit with our little guy runs contrary to most people's idea of family. A child has two families and deserves to know them both well. To know he is treasured, to have pride and love from both sides of the family is a birthright".

Private Members' Business

I could go on and on with testimonials from grandparents across the country fighting for the right to see and speak to their grandchildren. There are many.

On October 5, 1994, I presented over 3,000 signatures in this House of Commons seeking a remedy to this problem. Just yesterday I received another 802 signatures. In many of these cases it is a personal tragedy for the grandparents. More important, it is a personal tragedy for the grandchildren of immense proportions that will probably affect them for the rest of their lives.

There are a number of organizations across Canada that are working very diligently to help grandparents who are experiencing this situation. I would like to take this opportunity to mention the organizations I have been working with. I cannot mention all of the people, but I see some here in the gallery today, although I know I am not supposed to mention that. They include GRAND, Florence Knight of the Canadian Grandparents' Rights Association, Liliane George of the Grandparents Requesting Access and Dignity and Madeleine Bremner of the Grandparents Right of Wholesomeness Through Heritage.

I congratulate them and all of the many people who have worked so hard in this regard. All of these people have done a tremendous amount of work. I congratulate all of you.

In Canada federal legislation states that grandparents have no legal access to grandchildren. That is sad. If a grandparent wants to see one of their grandsons or granddaughters who for example is living with a former daughter-in-law they may have to go to court unless there is an agreement made with the divorcing parent.

This process can be terribly expensive and time consuming. It pits grandparents against an aggressive and adversarial court system. This is not conducive to the maintenance of harmonious relationships.

(1250)

Many countries in the world recognize the unique relationships between grandparents and grandchildren. In most cases they have granted either through legislation or through jurisprudence that parents may not without serious cause place obstacles to relations between the child and his or her grandparents.

Since 1980 the Quebec civil code has stated that "in no case may the father or the mother, without serious cause, place obstacles to personal relationships between child and grandparents. Failing agreement between the parties, the legalities of the relations are settled by the court".

This recognizes that the personal ties between the grandparent and the grandchild must not be interpreted as an intrusion in the life of the custodial parents, but as an opportunity for the child

to maintain a link with his or her ancestry and cultural heritage as well as an opportunity to maintain that unique relationship with his or her grandparent.

The amendments to the Divorce Act proposed by Bill C-232, and my colleague has joined me on this side of the House, would serve to complement this section of the civil code on grandparents.

Bill C-232 recognizes the federal government's role in ensuring grandparents' access to grandchildren by amending the Divorce Act to recognize them as a distinct category of third persons who may apply for access to a child without requiring leave of the court.

The Divorce Act would also provide a presumption that this relationship is in the best interests of the child and that this relationship should therefore not be disturbed unless it can be demonstrated to a court that it is not in the best interest of the child for the grandparents to have access to this grandchild. My colleague mentioned that in her comments.

Upon seeking legal advice with regard to my bill, which is similar to this Bill C-232, there is a clause in my bill as well as in hers that causes me concern. It was lines 10 through 17 which reads: "Unless the court orders otherwise, a spouse or grandparent who is granted access to a child of the marriage has the right to make inquiries and to be given information as to the health, education and welfare of that child".

There is concern with this proposal because this type of information is private and normally only available to parents in normal marriage situations. If this amendment were included in the Divorce Act the effect may be that grandparents of the children of divorced parents could have rights to receive health and educational information that grandparents of children in an intact family do not have.

While I wholeheartedly support the principles laid out in the bill and I will support it, I will seek to amend clause 1 through the justice committee's review. I would amend it by possibly deleting lines 10 to 17. First and foremost, and I must say this quite categorically, I will be supporting this bill and will work to ensure that it reaches final approval in this House of Commons.

I cannot emphasize enough the importance of this bill. The relationship that exists between grandparents and grandchildren is unique. During these times of rapid social change, this bond provides a sense of continuity and hope in the lives of our young people. When obstacles are placed in the way of this relationship the results can be devastating for both grandparents and grandchildren.

I call on all my colleagues in this House to support Bill C-232 to amend the Divorce Act, to protect the rights of grandparents to have access to their grandchildren.

Private Members' Business

I am delighted to stand here today in support of Bill C-232 and I would hope that all my colleagues would do the same.

[*Translation*]

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, I rise today to speak to this bill to amend the Divorce Act, Bill C-232. The bill would amend the Divorce Act to provide for a person to be granted custody of or access to any of his or her grandchildren. By virtue of this change, grandparents would no longer be required to obtain leave of the court to make such an application.

Furthermore, this bill would give grandparents the right to be given information as to the health, education and welfare of the child. Finally, this bill provides that these amendments to the Divorce Act would be reviewed by a parliamentary committee four years after coming into force.

Taken at face value, this bill appears eminently acceptable and I must admit that, as a grandmother myself, my gut reaction would be to support the bill.

(1255)

After all, what grandparent would accept to be denied access to his or her grandchildren after their parents separate or get divorced? Of course, such sensitivity and feelings are only human and quite normal when, for example, they have fewer kids and they live far away, in poverty and in sickness, as the case may be.

Nonetheless, we think that this bill wanders from the primary objective, which is the welfare of the child. The emotional needs of grandparents should certainly not come before their grandchildren's quality of life.

As Madam Justice Andrée Ruffo said, it may be more appropriate to talk in terms of the rights of children to be granted access to their grandparents than the other way around. When there are children involved, the paramount criterion should be their best interests.

All in the name of commendable principles such as the rights of grandparents and the welfare of grandchildren, I can see how Bill C-232 could put the child in the middle not only of family disputes, but also of jurisdiction disputes.

Let us be quite clear on this point. Bill C-232 is inefficient if its primary goal is to facilitate contacts between grandparents and grandchildren. It may make the process easier for grandparents, but it may in turn make things more complicated when the parents are deemed to have retained parental control and there are no reasons for them to be disqualified.

Parental control, incidentally and to the best of our knowledge, is an exclusive provincial jurisdiction under paragraph 92(13) of the Constitution Act, 1867. We wonder if giving more rights to the grandparents, when there is a divorce, is not an encroachment on provincial jurisdiction.

As we know, the federal government has jurisdiction in divorce matters. In a general sense, we wonder if Bill C-232 is a challengeable extension of federal jurisdiction over divorce at the expense of provincial jurisdiction in family matters.

Other questions come to mind. What are the rights of grandparents when the parents are not married, as is now the case for 40 per cent of children born in Quebec? Federal parliamentarians must note that the continued rise in the number of children born outside marriage means that provincial family law is gradually replacing the federal Divorce Act on issues relating to child custody and access rights.

It must be understood that Bill C-232 only affects the children of couples in the process of divorcing or already divorced. Most children are not affected by divorce, while others live, as we have just pointed out, with parents who are not legally married.

This bill may not be as helpful to the grandparents who want access to their grandchildren as it purports to be.

Furthermore, the parents or people with legal custody of a child have primary responsibility for looking after the child's best interests. In abuse cases, judicial remedies may be authorized by provincial legislation. Provincial legislation also applies to all family situations, even in the absence of marriage leading to divorce.

After reviewing this bill, we fear that, despite honourable intentions, C-232 only compensates for some provinces' reluctance to legislate in this area.

(1300)

As for Quebec, it passed legislation on this issue 14 years ago. Indeed, the Quebec civil code, through article 611, allows grandparents who suffer a prejudice, in terms of their relations with their grandchildren, to ask the courts to examine the details of these relations.

Article 611 of the Quebec civil code provides that fathers and mothers cannot, unless they have a major reason to do so, interfere with the personal relations of a child and his or her grandparents. Unless there is an agreement between the parties, the details of these relations are defined by the court.

This article from the Quebec civil code is not only comprehensive, it is also clear. It can be invoked before or after a divorce, in the case of married people, as well as in the case of common-law couples, single-parent families, or after the adoption of a child by a new spouse.

Quebec's legislation is already far ahead of this unbalanced bill. As we said earlier, the federal government does not have to compensate for the reluctance of other provinces to legislate.

We have problems with another provision of this legislation. I am referring to the fact that grandparents would have the right to make inquiries as to the health and education of a child. Based on Quebec's legislation on personal information, we thought

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that the protection of information on health and education also fell under provincial jurisdiction.

It goes without saying that the parent of parents having custody of a child must not be allowed to break the contact between that child and his or her grandparents. The underlying principles of Bill C-232 are closely related to those of the Quebec civil code. However, the Divorce Act may not be the most appropriate tool to grant and recognize rights to grandparents.

I will conclude by saying that, as regards Quebec, we fear Bill C-232 would accentuate the existing double jurisdiction concerning family law. As you know, the federal Parliament has exclusive jurisdiction over marriages and divorces, while Quebec can legislate wedding celebrations, property and civil rights, marital regimes, adoptions, separations from bed and board, child custody and so on. This double jurisdiction not only leads to inconsistencies in family law, but also prevents Quebec from making an appropriate reform and creating a unified family court. Bill C-232 might worsen the situation for Quebec.

The Bloc Québécois feels that this bill is premature and inappropriate. I want to point out to the hon. members that we only wanted to question the merits of that legislation, not necessarily oppose it.

[English]

Mrs. Dianne Brushett (Cumberland—Colchester, Lib.): Mr. Speaker, I did not prepare in depth notes today because I was not aware that I would have an opportunity to speak. However, I am very pleased to stand and support this bill by the hon. member for Mission—Coquitlam.

I have had numerous calls and responses from people in Nova Scotia. Certain things come up frequently from the parents and grandparents in particular who are for the most part over the age of 50. These people through life experiences, through living and through working, have accumulated a great deal of experience in nurturing, guidance, sharing and loving. It is that experience that quite often the child of the second generation needs.

(1305)

Very often in many instances we see that the parents, whether through divorce, through emotional breakups, through living situations, arrangements that are so different and complex today, are so directly involved with the children through emotion and sometimes the direct link. It does not give them the vision to see the grandparents' needs and it does not give them the opportunity. The grandparent is at an arm's length so to speak and they can look at situations quite often more objectively than in an emotional situation in which two parents or two partners are having difficulty with children.

Although this does come under federal jurisdiction, and the hon. member from the Bloc has pointed out the complexities that might arise because of this and because of family law in some provinces, I believe that we can work on those details, that we can look at this bill in depth and bring in the changes or the amendments, whatever is required, to make it more workable, more effective.

It is imperative. I have seen, as I am sure all of my colleagues would have seen, throughout our provinces that today we have so many young people raising children in isolation quite often without access to the experience of the older population of both men and women who have lived long and have that experience of living and working and have the wisdom of nurturing and sharing without the biases and the direct emotional interference that the first generation often has to combat.

I have recommended this in my own province. Quite often the young women today having babies and being isolated in apartments on their own have no guidance. They have no connection to those older people in society who have the wisdom of common sense, love and nurturing. This is a fault in our society.

I believe this bill would bring in a closer connection to that whole realm of family and bringing love, nurturing, guidance and common sense of old wisdom that just comes from raising a family.

This bill might go a long way in not only having grandparents' rights to the children but more than anything serving the children who need to know the love and nurturing and wisdom of living.

A survey was done in one of the American schools asking the children how many of them could cite their grandparent's name. It was unbelievable the high number of children who could not even tell their grandmother's or their grandfather's name. To me, that is quite deplorable. It is a fact of society today.

I believe we are on the right track with this bill in helping society, in helping parents to get an added abundance of love and nurturing that can come from the grandparents' side.

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, it is with great pleasure that I rise today to speak to Bill C-232, a bill put forward by my hon. colleague from Mission—Coquitlam.

Bill C-232 would amend the Divorce Act in such a way to give grandparents the right of access to their grandchildren. In this the International Year of the Family is it not the perfect opportunity to legally recognize the important place that grandparents occupy in the family unit? I am pleased to see support in this House as we take the initiative in this important area of family development.

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Today's family structure is threatened by a host of uncertainties, tensions and stresses which can be attributed to unfortunate financial circumstances, job loss, career or vocational instability or family breakdown. There are occasions when the provision of adequate care for children within these situations becomes secondary to the unexpected disturbances or turbulence within the family setting. The very urgent and oftentimes invisible needs of the children in such an environment can be overlooked.

(1310)

I am sure all of us here have met adults who, despite being adequately nourished and cared for physically as children, demonstrate the impoverishment of their emotional upbringing. While it is unlikely that any single event can be said to be responsible for all adult distress, we can nonetheless argue there is abundant evidence to suggest that the adult personality is constructed to a considerable extent from childhood experiences and that those who care for young children determine and define the nature of these experiences.

As we consider this bill, let us not forget to address how best to meet the needs of children in dysfunctional settings, acknowledging that those who care about the children are also likely to be better able to care for them.

Under the provisions of this bill and in the case of divorce the trial judge would be permitted to address the needs of the whole family at a time when it is least able to deal with problems. It is difficult for children after a marriage breakup to adjust to this change and if in addition they lose their grandparents, it can be devastating. It is devastating for the children because they lose what may seem to be the only stable element in their young lives and devastating for the grandparents because the children they love can be taken away from them with little legal recourse.

Since most grandparents are on fixed incomes and cannot afford to initiate a court action to help their grandchildren maintain some security and stability in their lives, I believe the government should intervene to alleviate the fear of losing their grandchildren. Many grandparents experience a sense of tremendous loss during divorce proceedings and this sense of loss in many cases becomes a reality. Bill C-232 sets out to change this.

The bill before us would amend the Divorce Act in such a way as to provide a person wishing to make an application under the Divorce Act to be granted access to or custody of any of his or her grandchildren and shall not be required to obtain leave of the court to make such an application. The bill would also provide that a person who was granted access to any of his or her grandchildren shall have the right to make inquiries and to be given information as to the health, education and welfare of the child.

To make sure these amendments to the Divorce Act are actually serving their intended purpose they would be subject to a review by a parliamentary committee every four years after their enactment.

Most grandparents are concerned about the well-being of their grandchildren. This whole subject was debated in the Alberta legislature. I would like to read from its *Hansard*. In her speech Mrs. Hughes quoted a study by Jim Gladstone from the University of Guelph. Gladstone conducted a study in 1986 that reinforced the importance of grandparents, that relationship of grandparents to grandchildren.

That report concluded that when marriages break down, grandmothers have more contact with their grandchildren than before the breakdown. Gladstone believes this means grandparents have an innate tendency to respond to the needs and emotional upheaval of their grandchildren. Previous research on children of divorce has suggested that young children have very little opportunity to talk about the breakup.

Gladstone believes that through the child's unique relationship with the grandparents they can obtain the kind of counseling, comfort and reassurance that they need providing they have continuous access.

In the Winter 1991 issue of *Your Better Health Magazine*, a writer Jane Widerman writes of the personal devastation experienced by estranged grandparents: "Until recently when it came to the fallout from divorce, the primary focus has been on the nuclear family".

Professor Edward Kruk of the University of Calgary does social work there. He first began to formally study the effect of divorce on the extended family. He says: "Mental health practitioners have tended to ignore the extended family and the importance of the grandparent-grandchild attachment, which doesn't decrease after divorce".

Social work experts are beginning to recognize that the phenomenon of estranged grandparents is larger than was first suspected and Kruk agrees. In his recent study of non-custodial fathers he found that more than 50 per cent lose contact with their children. By extension, the fathers' parents probably also suffer the loss of access which, says Kruk, likely translates into major mental and physical health problems for grandparents.

It is called involuntary child absence syndrome when referring to non-custodial fathers. The symptoms encompass a range of health problems including disrupted sleep, anxiety attacks, grief, mourning and depression. It is bad enough that anyone should suffer. But what parents may not realize is that if the grandparent-grandchild relationship is sabotaged the children are casualties too.

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(1315)

Kruk says that older relatives represent stability, giving children a sense of personal history, a sense of personal belonging. This becomes even more important when one link in the familial chain is removed. During the trauma of divorce grandparents can be a huge source of comfort to the children, a sort of neutral territory in the divorce battleground.

Children cut off from their grandparents experience the double whammy of separation from the non-custodial parent as well as one set of grandparents. Therefore, there is a necessity for creative legislation to protect access for grandparents. Bill C-232 would legally recognize these unique relationships.

We need to also look at the precedents in legislation. For example all 50 states in the United States have similar types of legislation. In Canada, Quebec in article 659 has dealt with this item as my hon. colleague previously mentioned as has Ontario in article 59(4).

It therefore seems to be at the very least reasonable and psychologically sound to argue that children should be nurtured and cared for by people who have actively chosen to be with them and to have a commitment in their development and well-being. I urge all hon. members of the House to give thoughtful deliberation to this bill and based on its merits and for grandparents and grandchildren everywhere give it their vigorous support.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, I am very pleased to advise the House that I am going to be a grandfather in February for the very first time. This is a rather interesting experience. I have always wanted to be a grandfather. However when my wife's aunt asked what I thought it was going to feel to be a grandfather, I thought: I cannot be that old. It is a very unusual feeling.

I am standing to speak in favour of this bill not only from a personal point of view but also from the point of view of the concerns that many of my constituents have passed along to me.

The stability of children is the question we are discussing here. When children have stability as they grow to be adults that our society will have stability. Our society is made up of individual components, 29 million of us. As we have individual stability so our society will be as well.

Unfortunately, it is a widely accepted premise that during the course of a divorce many children if not the majority feel as though somehow they are the people who are to blame. They end up blaming themselves for all of the fracture within their family unit that is going on around them. They truly need stability.

Almost invariably there is hostility at that particular time. Again, children pick up on that and unfortunately part of that

hostility can be focused specifically toward the grandparents. In other words when the parents are fighting with each other, particularly if their parents in turn become part of that fight, there ends up being this hostility.

If we are going to be able to work in the direction of creating a feeling of roots and self-worth, then the grandparents have a very, very important place in that. Children have to have a feeling of ownership, that they are part of something. Children have to be able to develop a feeling of self-worth.

I also believe that each of us in our own way feels it is important that we have a feeling for our heritage. Many of us have travelled to the places our grandparents came from, places we have never seen before. Perhaps they are overseas or perhaps they are in this country. We have never seen them and yet we have a feeling of belonging and a feeling of heritage.

(1320)

For all of those reasons I speak in favour of this bill. However I knew that the Liberal members would be disappointed if the Reform Party did not end up talking about dollars and cents at some point in this debate so I will not disappoint them. I quote from a submission on behalf of the Canadian Grandparents Rights Association to the Custody and access project, family and youth law policy section of the Department of Justice:

We believe that one large problem in this area is a gross misconception of the powers and capabilities of the state. In British Columbia for instance, out of 850,000 children, the state has seen fit to apprehend into its custody about 6,000 at current levels. Most of these are children who have been in and out of custody repeatedly, rebellious teenagers, or Indian children. Less than 2,000 will be small children it was necessary to remove from their parents. Even this small number (one that has been declining for two decades) creates a huge financial obligation for the state in terms of immediate care, foster care, and the associated activities of the state, including investigation, apprehension and after care. It is hard to reach a definite conclusion as to what those costs are, but we believe they are more than \$50 million a year.

There we have it. We have a dollar and cents argument to something that to any rational and reasonable person is not a dollar and cents issue. Nonetheless it does have implications for our society.

Rather than standing and beating my gums for another eight minutes what I simply would like to say is that I speak strongly in favour of this bill. I believe as we have strong citizens in our country with a strong feeling of self-worth which comes in no small part from the feeling of heritage and parentage that we will be building a better and stronger society.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am also pleased to stand in support of my hon. colleague's bill. I have a leg up on the hon. member who just spoke because I already am a grandfather.

I put this all into perspective. It is a great privilege to be part of a family. When I think of the influence my parents have had on our children and indeed the influence my grandparents had on

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me, I think that we greatly err if we do not do everything possible to preserve that familial connection.

I remember when I was a young man leaving home for the first time to go to university in Saskatoon. My parents made a special point of taking me over to my grandparents' place to say goodbye to them. I will never forget that my grandfather, who is long gone now, took the time to pray with me. That was very important to our family. We had an opportunity to pass on those most deeply held values from generation to generation. Our grandparents were of great assistance.

I think also particularly of my children's grandfather, my father-in-law, who was a tremendously strong influence in their lives. He was most influential and was such a solid and loving man.

To a large degree I will speak on behalf of grandfathers. At the beginning of this debate it was our female members who were promoting it which is wonderful. However I do not want people reading this record to think that we men do not care because we do care deeply. I am thinking particularly of my own children and the high esteem in which they held Grandpa Klassen as we called him, my wife's father, and how we all were so close together during that time when he was fighting cancer. He passed away just a little over a year ago. Therefore those are extremely important connections.

I think too of the occasions that we have had in working together with a number of families in recent years who have experienced this devastation of the family breakup. I remember not long ago speaking with the father of a couple, I will not identify them, who were breaking up and how he literally cried when he thought of his grandchildren.

I can only, as forcefully as I can, support this bill and say how important it is for children, for grandfathers as well as for grandmothers. I commend and congratulate my colleague for bringing this forward.

The Deputy Speaker: The hon. member for Elk Island will have four minutes if he wishes the next time this matter comes up for debate. That is the time remaining to him.

The time provided for the consideration of Private Members' Business has now expired.

[*Translation*]

Pursuant to Standing Order 93, the order is dropped to the bottom of the order of precedence on the Order Paper.

It being 1.26 p.m., this House stands adjourned until next Monday at 11 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 1.26 p.m.)

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