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Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, May 29, 2000

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1110)

[Translation]

INCOME TAX ACT

The House resumed from March 30 consideration of the motion that Bill C-205, an act to amend the Income Tax Act (deduction of expenses incurred by a mechanic for tools required in employment) be read the second time and referred to a committee.

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Madam Speaker, I rise on a point of order. There have been consultations among representatives of all the parties, and I seek unanimous consent for the following motion:

That, at the conclusion of today's debate on the motion for the second reading of Bill C-205, An Act to amend the Income Tax Act (deduction of expenses incurred by a mechanic for tools required in employment), all questions necessary to dispose of the said motion shall be deemed put and a recorded division deemed requested and deferred until Tuesday, May 30, 2000, at the expiry of the time provided for Government Orders.

I remind the House that there have been consultations among the leaders of all the parties.

The Acting Speaker (Ms. Thibeault): Does the hon. member have unanimous consent to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Ms. Thibeault): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

Mr. Benoît Sauvageau (Repentigny, BQ): Madam Speaker, I am pleased to speak to this bill presented by my friend and colleague from Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans.

As my colleague has pointed out in his press releases, as well as in his speeches, this is a non-partisan bill. Too often in this House we have to debate bills on which our party line obliges us to take a given position rather than another. Here, we are dealing with a bill that directly affects taxpayers, their budgets and their wallets or purses. It affects Quebecers, and it affects Canadians, equally.

The bill in question is Bill C-205, an act to amend the Income Tax Act (deduction of expenses incurred by a mechanic for tools required in employment).

I will read the summary of the bill for the information of our audience as well as those MPs who have not yet reached a decision and who will, we hope, be favourable in a vote free of party lines—this not being a highly controversial subject:

The purpose of this enactment is to permit mechanics to deduct the cost of providing tools for their employment if they are required to do so by the terms of the employment. The deduction encompasses maintenance, rental and insurance costs, the full cost of tools under \$250 or such inflation-adjusted limit as is set by regulation, and the capital cost allowance of tools over \$250, set by regulation.

• (1115)

Some will say “Yes, but mechanics will be able pull a fast one”. First, who is a mechanic? Are all of those who tinker a bit with their cars in their garage mechanics? Are those of us who can do a bit of maintenance on our cars from time to time mechanics? Is this going to be a bit difficult to manage?

Not really, because a precedent exists in the federal government's Income Tax Act. My colleague, the member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, is not proposing to create a precedent in the Income Tax Act. A precedent exists in the case of forest workers, musicians, doctors, dentists and certain businesses.

Today, a young person decides to become a mechanic—a trade in which there is a shortage at the moment, but one that is vital to

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Quebec and Canada where the number of family cars keeps growing and maintenance is necessary for environmental and financial reasons. They decide after finishing technical training or high school to go and work as a mechanic in a garage. The day after earning their diploma they have to pay out somewhere between \$15,000 and \$40,000 in order to practice their trade.

Very few young people have between \$15,000 and \$40,000 to spend on equipment for their work. However, as a musician or a dentist, I can buy equipment, and the government will give me a tax credit when I buy the equipment I need for my work. As a mechanic, I cannot. Often these young people, and the not so young, are asked to spend considerable amounts in order to be able to do their work.

So, in terms of the complexity of applying the law, there is already a precedent. In financial terms, do we have the money? How much will it cost and do we have the funds to enable these young and not so young people to exercise their profession and to get tax relief?

We have been told, to the thunderous applause of the Liberal Party, that there will be a \$95 billion surplus for the next five years. If we have such surpluses, we should not spend all our time debating bills on endangered species, not because such bills are not important, but because we must also deal with other issues and take concrete measures for people in our communities. As I said earlier, a bill such as this one can have a direct bearing on people in our ridings.

The funds are available. In fact, the Minister of Industry even wanted to use it in a preposterous fashion by offering owners of professional hockey teams financial compensation to help them remain in Canada, to help them increase their share of the market. The minister's idea was so ludicrous that, for the first time, we saw a minister backtrack within 24 or 48 hours and withdraw his bill.

There are funds available in the government's coffers and they must be appropriately invested, spent and earmarked.

Bill C-205 would allow each and every member of this House to do something concrete for an important group of workers in their communities, regions, ridings and cities, particularly since these workers are often not among the most well-off. The average hourly rate for mechanics is around \$15 an hour. This may come as a surprise, since it often costs us a little more than that when we bring in our vehicle for repairs. Still, the hourly rate for mechanics is around \$15 an hour.

This is a bill which, and this is rare, would show the public the concrete nature of our work in this place. The public would see that we do not only ponder abstract concepts, as it often believes is the case, but that we also make decisions which, as was the case with forestry workers, doctors, dentists and musicians, have a direct and personal impact on people. I hope that the party line will not come into play regarding this issue—although I do not know whether or not this will be the case.

• (1120)

The member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans has asked that the division be deferred until tomorrow evening. I hope that on something such as this, which does not involve sovereignty or federalism, whether of Quebec or of Canada, or globalization or any other such matter, but is nothing more than an attempt to help honest folk enter the job market or prosper there, we will not see party lines imposed on certain parties and have unanimous voting against this non-partisan bill. Naturally, if members were to vote unanimously in favour of this bill, there would be no problem.

Passage of Bill C-205 would encourage the creation of jobs in the automobile industry. It is clear from the number of high school graduates, especially in trades programs, that there is a serious shortage in this sector right now. Passing this bill is one way of helping this important sector of economic activity.

With the prospect of a tax break, young people might be more tempted to go into automobile mechanics.

Several Bloc Québécois members attended a reception hosted by the National Automotive Trades Association of Canada and, to our great surprise, we were, if I am not mistaken, the only party represented at this event, which was intended to bring this issue home to MPs, who hold the fate of the bill in their hands.

I urge members to support this bill. I invite those who did not attend this information session on the various aspects of such legislation and hear the arguments put forward by the association to take a hard look at the bill and its implications for their respective communities before voting, I hope, in favour of the bill.

[English]

Mr. Rick Casson (Lethbridge, Canadian Alliance): Madam Speaker, it is a pleasure to speak to this private member's bill. I commend my colleague from the Bloc for bringing it forward.

The bill was introduced in the last session by the member for Lakeland. He did a lot of work on the background of this and I am glad to see that it has been carried forward. The last time it was debated it was a non-votable. This time it is votable.

I believe this is an issue of which everyone in the House is aware. It has been brought to their attention that this is an inequity in our tax laws that needs to be addressed. At a time when we are seeing surpluses in our revenues, the government needs to take a look at our tax laws and change the areas that need to be changed, address the inequities and recognize a trade that has been singled out to not receive the same treatment as others.

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I am glad the bill is before the House and that it is votable. I hope all members in the House will support it.

The message is clear. The member for Lakeland has received 7,000 letters from mechanics from across the country who have pointed out the shortcomings of this part of the tax laws and that in this day of changing technologies it is becoming more and more onerous, because of the amount of money it takes to buy the tools, to get into the trade.

The trade is changing rapidly. The technology and equipment these people have to repair, whether it is heavy-duty tractors, large machinery, automobiles or whatever, is changing. It is computerized now. There are fewer people who can even look under the hood of a vehicle and do anything with it. It takes specialized people and specialized equipment.

Some mechanics estimate they need to invest \$20,000 to \$30,000 into equipment just to do their jobs. Having their own tools is one of the conditions of employment.

As recently as two weeks ago, I visited a young man in a shop in my riding. He informed me that it was necessary for him to supply \$5,000 to \$10,000 worth of tools to move into a journeyman position. He told me that was a big hurdle to overcome and that he may not be able to do that. This is an example of a trained and eager young man who is interested in getting into the workforce but because of the amount of money it will take for him to invest he may not be able to do that.

• (1125)

The government needs to look at the fact that this is happening. It needs to offer these people a tax credit for the tools they have to purchase as a condition of employment.

The last time this bill was brought forward there were a number of issues raised by the Parliamentary Secretary to the Finance Minister and some of the statements need to be clarified or argued with. One statement that he made was that:

—mechanics are not the only occupation that incurs substantial expenses as a requirement of employment.

Of course not. There are many. However they are the ones who cannot use this purchase of equipment as a deduction in their business. What we are saying is that farmers and other businessmen, as well as artists, musicians and chainsaw operators, incur substantial expenses as a requirement of employment but they are able to deduct these costs. Why can mechanics not also be added to this group? The government could then ensure that other groups that incur expenses as a requirement of employment will be treated fairly by the tax system.

We are now in a position where we can step back and have a look at our tax system to see where we could improve it. There are many

ways to improve our tax system and mechanics' tools is one area that needs to be looked at.

The policy is supported by the all party House of Commons finance committee. In its last report it stated:

The committee recommends that the government provide targeted tax relief for all those who must bear large expenses as a condition of employment, such as is the case with mechanics' tools.

All opposition parties are supportive, and I hope members of the government, when it comes time to stand to vote on this issue, will support it as well. I am sure they are aware that this situation exists and that it needs to be changed.

The parliamentary secretary also stated that:

This private member's bill would also provide tax relief to all mechanics irrespective of the size of their expenditures instead of targeting relief to those incurring extraordinary expenses.

That is a pretty poor statement. As we know, businessmen, farmers, all people who are involved in a business, are able to deduct their expenditures so why should mechanics be treated differently? Not being compensated for small expenditures, whatever the level, is a matter for regulation that could be sorted out rather easily.

He also stated that:

—provisions would need to be developed to ensure that tax relief is provided only for those items genuinely required as a condition of employment and not for those purchased for personal use.

That applies everywhere. If we are buying something to carry on our business, that is separate from our personal lives. That is minute nitpicking. The true issue is that we have people who are putting out tens of thousands of dollars to get started and then supplementing that every year by \$1,000, \$2,000, \$3,000 per year in purchases of specialized equipment to keep their jobs and they are not able to deduct that expense. That is totally unfair.

When the bill was brought forward in 1998 by the member for Lakeland it received overwhelming support from people in the industry. I have quotes from mechanics, people who hire mechanics and general managers of automotive dealerships who say that this is something that would go a long way in helping to improve the ability of their people to do a decent job.

The minor change in Bill C-205 from the previous bill is that the amount of the deduction be changed to \$250 from \$200. It is just a minor tweaking to bring it back. This time it was brought back as a votable bill which will give it more debate in the House and more time for people to put their ideas forward.

I had a private member's bill drawn last week, thank goodness. It is like winning a lottery. The whole scheme of things here is to get a private member's bill drawn and to have it made votable. To bring it to the House to make members stand on the issue is important.

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This bill has made that one hurdle and has gone that one step further.

We will be supporting this initiative by the member. We believe it is an inequity that needs to be addressed. The overwhelming positive response by people in the industry to this bill is a clear indication that it is needed. I hope that government members of the House, when the bill comes to a vote, will realize that, will listen to the people and will support the bill.

• (1130)

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Madam Speaker, I am pleased to speak today to Bill C-205, an act to amend the Income Tax Act. It is time this House reached a final decision in order to help out the mechanics of this country, the workers, by reducing their expenses when they start working.

To begin a career as a mechanic, a person has to go to trade school, to community college, in order to learn his trade. He graduates with a debt load. Then, when he arrives at his first job, the first thing he needs is a tool set. He needs a great many tools to do his job; otherwise he will not be hired.

People who are starting up a new company meet with government representatives and tell them "We are prepared to create x number of jobs". As hon. members are aware, this involves the transitional fund or some other such fund. Mention of this brings out some nervous smiles in the House, but transitional funds are necessary tools for economic development.

It is the same thing here. A mechanic who wants to work needs a tool box and tools, and these are very expensive. It would not be the end of the world if a mechanic were entitled to a tax reduction. For example, a woodsman who needs a chain saw in the spring in order to go out and work in the bush can get an income tax reduction for it.

Mechanics are getting it on all sides. We have seen how much this all costs. We are talking several thousands. I know, because I have worked with mechanics myself, and they were constantly having to purchase tools. When we changed from the British system of weights and measures to the metric system, two types of tools were needed, doubling the costs. Because of changes in Canada, it cost them double.

Mechanics have asked me "Why are we as workers not entitled to a tax credit for our tools? We pay taxes when we work. If we need a tool for our work, why are we not entitled to tax relief?" When companies have costs, they get tax breaks. Workers pay their taxes but want help with the cost of their tools, because they are expensive.

I am going to tell members about an experience I had last week. I took my car to the dealer's for repairs. Two days ago, we found two

of their tools in the car as we were washing it. We know where our car was, so we will return the tools to the mechanic.

How often, however, with the number of tools they use in repairing people's cars, do mechanics leave their tools in cars, not because they want to leave them there of course, but because there are a lot of tools and a person can forget them. Someone working on an engine can forget a tool. That costs a lot.

These are not once in a lifetime purchases. A person does not just buy a wrench to use forevermore. Regularly during the year other tools have to be bought. They have to be bought all the time, because they get lost or are not the right tools.

I think we will always need mechanics. I have a car, I am sure you have a car, Madam Speaker, everyone has a car. If we are going to help the mechanics we need in this country, this would be the way to go about it.

• (1135)

We are not asking for reductions on the price of their tools, but that the government at least give them tax deductions. It is normal for certain trades to get tax deductions. For example, fishers are entitled to certain deductions.

Tools cost a lot of money, and mechanics lose many through no fault of theirs. Let me give you the example of mechanics who work underground, in mines. There is rock, water and mud. They sometimes lose tools without even noticing it. They will never see these tools again. Each year, these mechanics lose many tools like that.

There was also the conversion to the metric system. For our mechanics—I am repeating myself, but it is important to stress that point—that change means that their costs have doubled, since they now need two sets of tools: one for the British system and another for the metric system.

We are talking about people who must spend between \$10,000 and \$15,000 for their tools, depending on what type they need. Mechanics need these tools, otherwise they cannot work. Nowadays, companies that get started do not say "we will hire people and pay for their tools". It is a known fact that, in Canada, mechanics must pay for their own tools.

Our party will certainly support this bill. There are mechanics in every riding represented in this House, whether it is by Liberal, Bloc Québécois, Conservative, NDP or Canadian Alliance members. Service stations, mines or industry—they all have mechanics.

As the Canadian Alliance member said earlier, thousands of people have signed petitions calling for a tax break for mechanics. The government has surpluses right now. It is time to help workers in this sector.

As I mentioned earlier, there is no need to worry about companies. If something breaks or they need new equipment, sometimes

they do not even have to ask for help because the government is only too quick to suggest one of its programs. I do not know whether public servants need to hang on to their jobs, but they are going after these companies and telling them: "We have one program here and another there. We will work on this program and we will be able to help you".

We support the Bloc Québécois member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans. His bill is truly important because it concerns a problem affecting all of Canada. There are mechanics everywhere. These are not isolated jobs in one part of the country. They are everywhere.

It is important that government members, and all members, regardless of their party affiliation, take a stand and do the right thing, in order to show that we believe in our workers and that we can help them.

Young graduates have had to spend a lot on their training. Many of them work in service stations at minimum wage. They work for \$5.75 an hour. In some provinces, they work for \$7, \$8, or \$10 an hour until they get their mechanic's licence, and that takes four years. But while waiting to get their licence, they need their tools.

Once again, I urge members to vote tomorrow evening in favour of the bill introduced by the Bloc Québécois member, because it is important for our Canadian mechanics.

• (1140)

[English]

Mr. Greg Thompson (New Brunswick Southwest, PC): Madam Speaker, I stand today on behalf of our finance critic, the hon. member for Kings—Hants. I know that he has spoken passionately on this issue. We support Bill C-205, which would amend the Income Tax Act to allow the deduction of expenses incurred by a mechanic for tools required in employment.

The tax system is very unfair to mechanics. As we well know, many professionals can deduct the cost of the tools required to perform their work. One of the exceptions is mechanics.

Mechanics are being supported by members on this side of the House as well as by many members on the other side of the House.

This issue has been around for a long time. Ten years ago, when I was sitting on that side of the House, I was approached by mechanics. It was waved in front of the government then. Much to my displeasure, the government which I represented at that time did not give this issue the attention it deserved. It is time the government did.

The politics of this issue are the politics of governing. Governments are very reluctant to introduce tax measures which would appear to cost the government revenue. Most of us would argue that

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is not the case. If the economy is to grow and if we are encouraging people to work, they must have some breaks along the way.

It is interesting to note that representatives of the Canadian Automobile Dealers Association support this move. They appeared before the finance committee on behalf of mechanics to seek tax deductibility of technicians' tools. They have appeared before the committee many times. Since 1992 they have been onside. They made this public and appeared before the finance committee for the first time in 1992.

The committee stated in its 1997 pre-budget report:

The Committee recommends that the government provide targeted tax relief for all those who must bear large expenses as a condition of employment, such as is the case with mechanic's tools.

In its 1996 pre-budget report the committee stated:

The Committee recommends that the Government consider measures to provide targeted tax relief for large expenses incurred as a condition of employment, such as mechanic's tools.

Basically it is saying the same thing.

The finance committee, which is an all parliamentary committee, supports the request.

There are over 115,000 mechanics in this country who could benefit from such a measure; the measure being tax relief for those who have to buy their tools in order to work. The average mechanic spends approximately \$15,000 on tools once they have received their training just to begin working in the profession. Some invest up to \$40,000.

As we well know, mechanics need to replace worn out equipment, and they must replace it at great expense.

The interesting statistic, from the point of view of public sympathy, is that the average wage of a mechanic is only \$29,000 per annum. What would be the cost to the Government of Canada if it were to do this?

• (1145)

The cost would not be high in the grant scheme of things, but it would send a signal to our young professionals, and mechanics are professionals and that we care about them, that we think their services are important. They should be able to deduct the cost of their tools as many other professional people can. This is a case of fairness, and we want to see that fairness exercised by the government of the day.

Leaving politics behind, I remind the House that this issue has been before the House for at least 10 years. Given the fact that the all party parliamentary committee and automobile dealers across the country can agree, surely to goodness the Government of Canada can do something to give our mechanics the tax relief they deserve.

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[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Madam Speaker, I am pleased to rise to speak to Bill C-205, introduced by my colleague, the member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans and intended to enable mechanics to deduct the cost of purchasing or replacing tools from their income.

I was fortunate enough to work as a mechanic for 15 years with a North Shore mining company, IOC, in Sept-Îles. Fortunately, this company sometimes replaced lost tools. If we had had to pay for them out of our pocket, it would have been hard. Those not familiar with the job of mechanic, especially, that of heavy engineering, have no idea of the costs involved.

In 1980, a vernier used in measuring diameters cost a minimum of \$150. With inflation and the rise in costs of all sorts, I am pretty sure that today it would cost \$250. A mechanic's tool box has several such tools in it.

Not always through negligence, sometimes through misfortune, because of the location of the work and the conditions, tools, which are vulnerable, can get lost. I worked on a ship loader, on ocean going vessels, some 200 feet or 60 metres above the water and I have dropped tools into the water. At the time it represented several hundred dollars. It was accidental. Fortunately, this company, which I have always respected and which I was proud to work for for 15 years, replaced our tools.

I heard what the hon. member for Acadie—Bathurst had to say about cleaning his car after it had been repaired and finding two mechanic's tools. I had the same experience last year. When we are talking about Snap-On tools, they are quality tools, but I have seen screwdrivers cut in two by the spark produced when a mechanic touched two terminals, thus joining negative and positive. There went \$15. That may not seem like much, but it adds up when the same thing happens a number of times in a year.

I think that it is doing justice to blue collar workers, to people who work with their hands, to recognize certain rights for them, the right to replace their tools and the right to acquire tools in order to get a job. This is doing them justice when other professionals of all kinds have obtained the right to replace or upgrade their equipment without having to ask for it.

• (1150)

Reference was made earlier to dentists. There are a number of different self-employed workers and professionals who have to replace their tools. When I was a notary, I bought pencils by the case. I did not have to fight to get them included in my operating expenses. This was taken for granted and no one disputed it. In my case, it is just about the only thing that was not disputed.

As for the mechanic, for whom the toolkit represents a major investment, all the more so because the tools are subject to loss or breakage, he is not entitled to this deduction, although he is probably a long way down on the scale of earnings.

I believe that the hon. member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans is showing respect for workers. I believe his bill must be supported. I am delighted that it was introduced here by one of us.

I am all the more delighted that the other parties, those in opposition at least, seem prepared to espouse my colleague's cause.

Mr. Michel Guimond: Madam Speaker, I rise on a point of order. Considering that the debate will conclude in about four minutes, as the sponsor of this bill, which will be voted on tomorrow, I am asking for the unanimous consent of the House to conclude my remarks, for a maximum of four minutes. I need the unanimous consent of the House, since I already spoke on this bill.

The Acting Speaker (Ms. Thibeault): Does the hon. member have the unanimous consent of the House to conclude the debate in five minutes?

Some hon. members: Agreed.

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Madam Speaker, I thank members from all parties for agreeing to give me the floor.

In conclusion, I wish to inform this House and those who are listening to us that this bill transcends party lines. It is not about diverging political options or diverging views on Quebec-Canada relations, not at all.

In the course of their parliamentary activities in their ridings, all 301 members of this House have opportunities to visit car dealerships and to meet with mechanics in their riding offices. We are already aware of this issue of deducting the cost of providing tools for their employment.

As the Prime Minister said, we are perhaps 12 or 15 months away from the next election. All members of parliament who decide to run again will have to visit automobile dealers and will be questioned on this issue.

I am therefore appealing to their common sense. Judging by the three hours of debate, Canadian Alliance, Bloc Québécois of course, NDP and Progressive Conservative members are all in favour of the bill.

I appeal to the Liberal majority. The Parliamentary Secretary to the Minister of Finance—perhaps he was expressing a personal opinion—did not seem too inclined to vote in favour of the bill. But I appeal to the Liberal members. This will not be a vote along party

lines, but what is called a free vote. I am certain that they will follow their conscience and vote in favour of the bill.

In closing, I remind the House that, in 1997, the Standing Committee on Finance, composed of a majority of Liberal members, made the following recommendation:

The committee recommends that the Government consider measures to provide targeted tax relief for large expenses incurred as a condition of employment, such as mechanic's tools.

• (1155)

I remind my Liberal colleague from Vaughan—King—Aurora, who was the committee chair, that he voted for the recommendation. My Liberal colleague from Gatineau, my colleagues from Sarnia—Lambton, Provencher, Niagara Falls, Kitchener Centre, Mississauga South and Stoney Creek, who were on the Standing Committee on Finance representing the Liberal majority, that they voted in favour of the recommendation.

I think that automobile technicians expect us as parliamentarians to recognize finally the importance of their profession to society and to give it its true worth.

It is simply a matter of establishing some balance in relation to other job categories that can deduct the cost of their tools. It is also a matter of encouraging our young people who might be tempted to join this profession, if we gave them a tax break. It is also a matter of young men and women seeing that the government is listening to their concerns and promoting the development of this profession.

The Acting Speaker (Ms. Thibeault): Pursuant to the order made earlier today, every question necessary to dispose of the motion is deemed to have been put, and the recorded division is deemed to have been demanded and deferred until Tuesday, May 30, 2000, at the end of Government Orders.

[English]

SUSPENSION OF SITTING

Ms. Marlene Catterall: Madam Speaker, perhaps we could suspend briefly and commence Government Orders at noon as usual.

The Acting Speaker (Ms. Thibeault): Is that agreed?

Some hon. members: Agreed.

(The sitting of the House was suspended at 11:57 a.m.)

• (1200)

SITTING RESUMED

The House resumed at 12 p.m.

Government Orders

BUSINESS OF THE HOUSE

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Madam Speaker, discussions have taken place between all parties and I think you would find agreement, pursuant to Standing Order 45(7), to further defer the recorded division on Motion No. 30 scheduled for Tuesday, May 30, to the end of Government Orders on Wednesday, May 31.

The Acting Speaker (Ms. Thibeault): Is there unanimous consent of the House to proceed in such a fashion?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CITIZENSHIP OF CANADA ACT

The House resumed from May 17 consideration of the motion that Bill C-16, an act respecting Canadian citizenship, be read the third time and passed.

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, I am pleased to be able to take part in the debate surrounding Bill C-16, our last and final opportunity to debate the bill before it proceeds to its final vote.

The NDP caucus feels strongly that Bill C-16 has merit and does meet the needs of Canadian citizens. We are comfortable and satisfied that the Standing Committee on Citizenship and Immigration listened to numerous representations. In fact 37 groups and organizations came before the committee. We are satisfied that the concerns brought forward by the experts in the field and by the many advocates who made representations were incorporated into the final bill. In other words the committee heard Canadians. The committee listened to them and the committee instilled what it heard into what we now know as Bill C-16.

The bill started out in its first incarnation as Bill C-63. It was dealt with, at length, under that name. We brought forward many concerns and recommended amendments at committee stage. We are pleased to say that the government when it reintroduced the bill as Bill C-16 took into consideration many of the shortcomings we pointed out with respect to the original bill.

The 37 presentations to the committee is an indication of the broad interest in this subject. I have sat on other committees and dealt with other pieces of legislation when we did not have nearly as many groups coming forward. People feel strongly about the

Government Orders

issue of citizenship. Canadian citizenship is to be valued. Canadian citizenship is to be treasured. Most of us feel very passionate because most Canadians are fiercely proud Canadian nationalists.

The reason the particular bill generated so much interest is that many of us are looking at citizenship in a whole new light, given the global economy we currently live in. We have been forced to re-evaluate and revisit the whole concept of citizenship.

Given the globalization of capital we are seeing borders disappear. Many say we are probably witnessing the beginning of the end of the concept of a nation state. Free movement of goods, services, investment and capital does not pay attention to international borders. These things are happening all around us. The only way we can define ourselves and maintain our identity as Canadian is to ensure that the nation state of Canada survives as an entity and that the personification of that or the way it affects citizens is by virtue of our citizenship.

We are very concerned when we see international trade agreements that do not recognize nation state boundaries. For instance, we saw the MAI, the multilateral agreement on investment, which recently failed. The people of the world voted that idea down. The people who were promoting the MAI were actually quoted as saying that there was a surplus of democracy in the world which was interfering with the free movement of capital, meaning that freely elected governments were getting in the way of what businesses wanted to do.

• (1205)

This is why I raise the issue that people are concerned about the concept of citizenship. They are concerned about the concept of the nation state and ultimately about the future of democracy if we have corporate leaders of the world saying that there is a surplus of democracy in the world that is interfering with the movement of capital. It makes us wonder what is the next step.

These are some of the reasons people are concerned with the idea of citizenship and why we had so many groups come forward to the committee. It is not just about the practical aspects of how one achieves citizenship in Canada or how citizenship can be revoked within the country. Those are the technical elements. There is a larger more philosophical issue regarding the very concept and nature of citizenship. Many of the groups that came forward and made representations dealt with the much bigger picture of what it means to be a citizen.

In being a citizen of Canada I believe the whole is greater than the sum of its parts in many senses. It is a feeling of camaraderie. It is a feeling of togetherness that Canadians enjoy, being part of the greatest country in the world. It is something we treasure and value but we take very seriously.

We have to take note that citizenship is not a right. It is a privilege. With citizenship comes responsibilities. With citizenship

comes many benefits, but it also carries with it the burden of responsibilities. We have to conduct ourselves in a certain way or frankly our citizenship can be revoked.

There are parts of Bill C-16 that deal with the revocation of citizenship. Some of those who made representation to the committee felt very strongly that it gave the minister far too much power in terms of the revocation of citizenship.

The NDP is satisfied that on that subject Bill C-16 is balanced, in that there are options for appeal at every stage of the revocation of citizenship. This can ultimately wind up in the highest court of the land and we do not believe anyone needs any more avenue of recourse than that. I am glad to see we have broad acceptance of that idea.

We are comfortable that Bill C-16 gives the avenue of recourse of appeal to the federal courts. We are satisfied that Bill C-16 is not too heavy handed in dealing with the revocation of citizenship. We are comfortable now that the terms of gaining citizenship are clarified. Some of the changes we asked for in the early stages of Bill C-63 have been incorporated in Bill C-16.

We found great fault with a change which recommended that when people take their citizenship tests they would have to know one of the official languages of the country. They would not have access to translators. They would have no access to interpretation. We did not think that knowledge of one of the official languages and any kind of a test for what kind of a good citizen a person would be related whatsoever.

We are glad to see that under the current incarnation of the bill people will be allowed access to translation services if their working knowledge of either of the official languages is inadequate to carry them through what can be a very complicated test.

Another issue we commented on and brought forward at the early stages of Bill C-63 was the concept of being physically present for a certain period of time in order to qualify for citizenship. We pointed out that many landed immigrants, many new Canadians who come here, still have interests offshore. Some may be business people. We can use the example of a new Canadian from Asia who may have a number of different business ventures throughout that region. That person would have to travel to take care of those interests. We also do not believe that physical presence in the country is any kind of a test or an indication of what kind of citizen the person will ultimately be.

We felt it was being unnecessarily rigid to demand that a person be physically present for x number of days within a certain timeframe in order to qualify for citizenship. We are comfortable that the government listened to these concerns and tempered those measures somewhat along the lines we asked.

A number of groups came forward and spoke about citizenship rules as they pertain to disqualification due to criminal activity. We

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believe we should not be providing safe refuge or sanctuary for international criminals. We have every right. We do not believe it is a violation of any of our international obligations under human rights conventions of the United Nations to say to some people that we will not allow them to be citizens of Canada.

• (1210)

We value our citizenship too much and it trivializes my citizenship to allow people into this country who would abuse the system or who would take refuge and sanctuary in order to carry on criminal activity. We will not tolerate it. Canadians want tough rules to make that abundantly clear.

Canadians are incredibly tolerant in terms of their attitude toward immigration per se. We want the front doors opened even wider when it comes to inviting new Canadians to come to this country, but we also want the back doors shut soundly so that we are not allowing any undesirables, international criminals, terrorists or people of that type to take sanctuary or refuge in Canada. We do not need them and we do not want them here. Bill C-16 in a very soft way speaks to that somewhat when it deals with the revocation of citizenship.

The New Democratic Party caucus is comfortable that Bill C-16 meets the needs of Canadians in terms of acquiring citizenship. It sets fair rules for both the acquiring of citizenship and the revocation of citizenship in the unlikely event that it becomes necessary.

We are comfortable that the Standing Committee on Citizenship and Immigration listened to the concerns brought forward by a number of Canadians, by some 37 groups that made representations, and by members of the committee like myself who moved amendments at committee stage. We are satisfied now that those concerns have been addressed under Bill C-16.

We will be looking forward to voting in favour of the bill to move it through the House so that we can spend more time addressing the larger issue of immigration and refugee protection found under Bill C-31, another citizenship and immigration bill that deals more with the meat and potatoes of the immigration rules and how we attract and retain more people to come to Canada to help us grow the economy.

We are looking forward to moving on from Bill C-16 satisfied that it is adequate and to getting into the much larger debate of immigration and refugee protection under Bill C-31.

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, could the member tell us one of the many groups that made presentations on revocation of citizenship which was satisfied with not having a right to appeal a decision of one federal court judge?

Mr. Pat Martin: Mr. Speaker, people are satisfied that it has been illustrated and demonstrated quite clearly that there is a right

to appeal at every stage of the revocation of citizenship, all the way to the highest court in the land.

I indicated that people are satisfied and comfortable with that. When it came forward that there may be an alteration in Bill C-16, or an amendment to the act that would change the access to the appeal process, a number of groups were concerned. The issue was raised.

It was clarified by the department heads of citizenship and immigration that nothing in Bill C-16 threatened the right to appeal in the case of revocation of citizenship. In fact there is a right to appeal at every stage of the process. It is an exhaustive, some would say even ponderous, appeal process that can take years. As we well know, there are classic cases in Canada that went on five, seven or nine years before people were ultimately issued a deportation order or had their citizenship revoked.

Having looked at the charts, graphs and tables of how the appeal process would take place, we are comfortable that there is an exhaustive appeal mechanism inherent in Bill C-16 and inherent in the citizenship and immigration acts. I do not think there is any cause for concern. Those groups that did come forward with those concerns have had them allayed.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I will begin by saying that it is a great honour to speak today to Bill C-16 and what it means not only for the country but especially people who want to make Canada their country, and certainly those who have been here.

• (1215)

I listened with great interest to the hon. member for Winnipeg Centre. He made many valid points. Certainly the one which I wanted to echo was that the committee, having listened to and heard witnesses, has now been able to make decisions which are appropriate to the matter at hand.

Citizenship, as all members of the House and all Canadians know, is of great value to individuals and their families. It bestows upon them great honour and responsibility as well as rights which are inherent under the charter and the constitution of this great country of ours.

I think back to my great-great-grandparents. They came to this country in 1827 via Bucks County, Pennsylvania having first come from Europe. Over the years we have cherished those things which we hold near and dear, that is, being citizens of this great country of ours.

By way of history it is amazing to think that prior to 1947 Canadians were still not Canadians as we know them but rather were British subjects. It is interesting that the Prime Minister himself was 12 years old before he actually had Canadian citizen-

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ship given to him. We were British subjects until that point. Having said that, citizenship and all that goes with it is something which Canadians now value greatly in terms of what it means to be a Canadian. It is important that we celebrate and cherish that which we hold near and dear to us. In 1947 the Liberal government of the day under Prime Minister Mackenzie King ensured that Canadians would have a status which we cherish to this day, being a citizen of Canada.

Citizenship is a concept in our culture which goes back to the city states of the ancient Greeks. For them the life of a citizen meant deep involvement in the life of a city. It meant the widest possible rights and privileges. It was also a very restrictive status, something which we no longer have. For example, no woman or newcomer could hope to be a citizen in those days.

While that restrictive status continued over the centuries, it has finally been washed away. In a sense we still see it today in countries which restrict their citizenship and those people who are part of a traditional ethnic group. Unlike Canada there are many countries where citizenship is not an opportunity to welcome people. It is not an opportunity for newcomers to declare that they are ready and willing to become a full part of their communities as citizens.

The point is clear that Canada has been different in that regard. We welcome newcomers. We grant full citizenship to all our people in a manner consistent with the charter and the constitutional prerogatives, as well as the rights that Canadian citizens no matter where they live in this great country of ours have come to expect and deservedly so. It is important that we keep that in mind.

When Canadians travel abroad it becomes apparent how great our citizenship is and what a great country Canada is. It is important that we value and cherish all that goes along with what it means to be Canadian.

Let me be clear in terms of what that 1947 act did. I offer that by way of background because it is important. That act treated men and women differently when it came to issues such as marrying a non-Canadian and keeping Canadian citizenship if they lived abroad, passing citizenship to their children if they lived abroad, and finally, how soon the spouses of men and women could become citizens. That was part and parcel of the 1947 act, yet for all the faults we have seen in retrospect, that act was an important starting point. It set us on the course which had led us to where we are today with Bill C-16.

It is important to note that what has never changed is a sense that citizenship is about joining the Canadian family, and a great family it is. It is about sharing in the values, traditions and institutions which define us as a people and unite us as a nation and which have made us the finest country in the world according to the United Nations Human Development Report for six years in a row. That is no coincidence. It is because of who we are and what we represent and the citizenship of Canadians is part of that greatness that is ours.

• (1220)

When new Canadians take the oath of citizenship outlined in the bill, they will speak about what it means to be Canadian. They will pledge their loyalty and allegiance to Canada and to our Queen. They will promise to respect Canada's rights and freedoms and uphold the constitution. They will vow to uphold the democratic values that allow us to debate some very important issues in the spirit of openness, transparency and accountability which we do in this great democratic system of ours in Canada. They will promise to do what we should do, to observe our laws and fulfil the duties and obligations of what it means to be a true citizen of this country.

These are not just words. Those words get to the heart of what citizenship is all about. They are about agreeing to accept the basic rules of how our society operates. They are about agreeing to play a full role in the life of our society in terms of what it means to help others to care and to share and to use the kinds of values in a meaningful way for Canadians wherever they are in this country. It also means acting at the ballot box, on a jury or just in the day to day debate among fellow citizens. It means ensuring that we vote, that we fulfil our duties as citizens in meaningful and tangible ways and in a way consistent with the values that are part of Canada.

Mr. Speaker, at this point I want to indicate that I will be splitting my time with the member for Cambridge.

There are countries in the world that essentially sell their citizenship. People in parts of the world actually do that for money. They buy passports which can be used to go elsewhere. Some travel documents might be part of that as well. It is selling hope, false hope in many cases, in volatile parts of the world, and it is most unfortunate. But it will never, never give a person what Canadian citizenship does, and that is what we have here. Those passports of convenience that are sold never announce to the world that a person is part of a great family the way our citizenship does. A person is never linked to the men and women from all over the world who regardless of birth share in the pride of being citizens of this country.

That is what citizenship is all about. That is what it means to be Canadian. That is what it means to have the kinds of values that unite us as a people in that sense and ensure that we carry on in a meaningful way consistent with that which our forefathers and foremothers did, including that which newcomers to this country also add. That is important so we can build on the foundations of the past with vision, insight and foresight. We project into the future with confidence knowing that we have one of the finest, and I would argue the finest, country in the world. We need to celebrate that.

In closing I state simply that Bill C-16 helps to reinforce that which we take for granted so many times in this great country of ours and especially our citizenship. Having said that, I move:

That the question be now put.

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Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, the question I have is why would the hon. member pull such a sneaky manoeuvre to try to ride over the former parliamentary secretary of this particular portfolio? The former parliamentary secretary put his position on the line because he took a stand on principle. The government, by going ahead and trying to pull some of the sneaky manoeuvres as it has done, is punishing and restricting his ability to do the duty that his constituents have given him.

• (1225)

I would like the hon. member to tell us why he is sticking a knife in the back of the former parliamentary secretary who has been working very hard on this bill.

Mr. Lynn Myers: Mr. Speaker, I need not take lessons from the member opposite when it comes to being sneaky and sticking knives into backs. He is the expert on the reformed alliance side of the House. He is part and parcel of what those people over there repeatedly do in terms of the kinds of things they are prepared to do every which way. I am speaking of some of the egregious things that I have witnessed the hon. member do. I think of the debate about Mr. Thompson and the Senate when the member was leading members of his party with mariachi bands and sombreros and tacos were dripping in the marble halls of this great institution.

When it comes to those kinds of things, I need not take a lesson from the member opposite. He should hang his head in shame, quite frankly, in terms of the kinds of things he has done.

This is the normal process in terms of the kinds of things we are doing to expedite the government and what we need to do in the great Parliament of Canada. We are moving the government agenda along and I am pleased to be part of it.

Mr. Rob Anders: Mr. Speaker, I would like to point out that any of the commentary I have done in the past with regard to the Senate is party policy and something which a lot of Canadians support.

The hon. member has in a sense violated the privileges of a member of this place, a member of his own party, someone who stood up on a point of principle, someone who for the sake of his constituents did what he thought was right in resigning his position as parliamentary secretary. He is trying to do the best he can for his constituents.

The member has gone ahead and done something to deprive the former parliamentary secretary of acting on the will of his constituents. This is one of the most lowdown, dishonourable things the member could do. He deprived one of the members of this place who has lost a position because of his stand on principle the opportunity to put forward a question on this issue. The member

across the way can go ahead and make aspersions on me, but how he can justify backstabbing one of his own on something he has personally suffered for in order to advance the cause of his constituents, is reprehensible.

Mr. Lynn Myers: Mr. Speaker, the member opposite is quite simply wrong. There has been no violation in terms of what the process is here today. It is a standard process. We are moving along to expedite a very important bill that Canadians wherever they live in this great country of ours feel strongly about.

When it comes to the reformed alliance people, those extremists who sit opposite, they stir the pot and stab each other in the back. Look at what is happening in the leadership race and the extremist positions they are taking and the monkey business in terms of voting and stacking votes. Look at what happened at their convention not so long ago. I think 1,200 people were registered yet 1,600 people voted.

When it comes to lowdown tricks, when it comes to egregious mechanisms, those people opposite, those extremists, those reformed alliance people, have not only written the book, but they have kept chapter after chapter going for the rest of us. Only they know the kinds of things they do repeatedly. It is outrageous what they do and Canadians see through it every time. Canadians see through those extremists for who they are and for what they represent.

• (1230)

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, certain words have been used to define certain people on this side of the House, and those words are not innovative. They have been used before.

The hon. parliamentary secretary is being denied the right to speak. If this motion were to carry it would really be very difficult because he would not be the only one prevented from speaking.

The hon. parliamentary secretary has used similar words to describe Canadian Alliance members on this side of the House. I find it rather difficult, in a sense, to support the hon. parliamentary secretary in the position he has taken. However, he has taken it correctly and I support him in that. On the other hand, the hon. member from Wellington should recognize that he is going beyond the boundaries of truth and decency.

Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, I must say that it has been rather unpalatable to see the Liberal Party backstab its own members who stand on a matter of principle. It is a sad thing to witness. Hopefully Liberals watching in their offices will hang their heads in shame. I hope the former

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parliamentary secretary has a chance to make his case before caucus and that he is able to sway some opinion.

Today we are debating Bill C-16, an act respecting Canadian citizenship. Bill C-16 does not constitute a major or modern reform as it says it does. It falls short and that is unfortunate. Its critical areas have been neglected, while others have been altered in a negative way.

The minister received recommendations from the government dominated Standing Committee on Citizenship and Immigration in 1994 and the government has taken over five years to prepare legislation which still does not address the committee's key recommendations. Once again we have a case of the government writing the recommended reforms and not carrying them forward.

One of the areas I would like to deal with specifically is that of citizenship at birth, which is referenced in subclauses 4(1) through 4(4).

Canada is setting itself up for a problem. We have a provision which allows citizenship at birth, which makes sense for people who are born here of Canadian citizens. However, that provision also applies to people who are visiting our country, landed immigrants and others.

Australia has noted this problem. Because of this incentive structure, parents who are not Canadian citizens will bear a child in Canada and that child will become a Canadian citizen. Then the child is, in a sense, used as a bargaining chip for that family to remain in the country.

In the United States people cross the border from Mexico to Texas via the Rio Grande. Pregnant women muster themselves as best they can to cross the border because they know that if they can make it across, even if they hurt themselves in some way, if they bear their child within the boundaries of the United States it will become an American citizen.

Canada, with all the boats carrying migrants that we are expecting to receive on our shores this summer, is creating the same scenario. Women from other countries will make the assumption, because of this part of our law, that by hook or by crook they will make their way, whether it is good for their health or not, in rusty buckets of boats so they will have the chance to bear a child on Canadian soil. That would give the child Canadian citizenship and, therefore, it would give the mother a bargaining chip to remain in Canada. The sick thing is, that provides an incentive for pregnant women to make that arduous journey in the worst of circumstances. It is poor public policy for the government to set up an incentive whereby pregnant women will put themselves and their children at risk so the child may be born on Canadian soil. I say shame on the government.

• (1235)

Australia was responsible enough when it made changes to its law. It deemed that at least one parent had to be a citizen of

Australia. As a result, there was not this use of children as bargaining chips for the sake of immigration.

The bill has dealt with conditions for granting citizenship on presence in Canada. Once upon a time, in and around 1977, a residency period of five years was necessary to gain Canadian citizenship. Then the Liberal government of the day reduced it to three years. It used to be three years out of five. However, the government has determined in its wisdom, even with all the problems we have with refugee status, with people claiming things illegally, with sham marriages and all the numerous things that are problems with our immigration system, to move it to three years out of six to make it that much easier for people to qualify.

The problem is, there is no stipulation for what is residency. In the law there is a provision which says that it is based on physical presence in Canada. However, the problem is that it does not provide any mechanism for determining when applicants arrive in Canada and when they leave, and there is no plan to develop one. There is no ability to check.

As a result, people will come to Canada and say "I am now qualifying for my residency with my physical presence in Canada". They are then able to leave through one of the unmanned border posts, catch a flight from Seattle to wherever they are from and stay in that country. Meanwhile, Canadian records report them as having been here. They can return, at their convenience, after having lived abroad for a few years, at which time they may automatically be granted Canadian citizenship, even though they were not actually physically present. The government says there is a provision for physical presence, but in terms of actually delivering, there is not. It does not have any way of checking.

I am aware of, for example, Koreans flying out of Seattle because of unmanned border posts. They come to Canada, apply for citizenship, the residency clock starts to tick, they leave through an unmanned border post, go to Seattle, fly back to Asia, do business, continue to conduct their affairs over there, many times evading Canadian tax, and then come back at their own leisure. After a couple of years, even though they are working abroad, they are granted Canadian citizenship. That is a serious problem which the government has done nothing to address.

With regard to clause 8 of the bill, concerning adoption outside Canada, once upon a time if people were coming to Canada they would have to undergo a medical. The government is watering down this whole provision of giving medicals to people coming to the country. As a result, people will be able to adopt children with all sorts of ailments and illnesses, things that previously would have been screened in medicals. Who pays for it? The Canadian taxpayer.

Once again the government has opened Canada to more problems, despite the fact that it has seen all of the problems we have

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been dealing with so far and for which it has been taking a lot of heat. What does it do? Rather than fix the problems it opens us up to more.

There is blatant patronage in the bill. Clauses 31 and 32 deal with citizenship judges and citizenship commissioners. The sad thing is that patronage appointments were the problem when the last changes were made. When Barbara McDougall was minister the Progressive Conservatives created citizenship judges. Of course, all sorts of loyal party hacks got these jobs and got paid good money to sing the Canadian national anthem and have people take the oath of office.

The Liberals recognized there was a problem. Parliamentary committees reported that lack of merit in these positions was a problem, so the government just changed the name. It is almost like big brother 1984. Instead of calling them citizenship judges, they will now be called citizenship commissioners. It is still the same thing. The same party hacks are going to get the jobs. Those patronage positions are still there. It was probably just too juicy a plum to leave alone.

Clause 6 concerns the language requirements to gain citizenship. Once again there has been a watering down of the language requirements. The government only requires that people have an adequate knowledge of one of the official languages of Canada. What is an adequate knowledge? It is very vague. The government knows exactly what it is doing.

• (1240)

I would like to refer to a recently published book by Charles M. Campbell, entitled *Betrayal & Deceit: the Politics of Canadian Immigration*. Mr. Campbell was a vice-chairman of the Immigration Appeal Board for a number of years. He points out that Australia had the political courage to deal with a number of these situations and made the necessary changes. The Australians recognized that there were people who were engaging in sham marriages, who had poor employment prospects, and all the rest of these things, just as we have in Canada today.

What were some of the provisions that Australia implemented? One was that in order for someone to be deemed effective in the English language they had to be able to demonstrate four things: they had to be able to read English, speak English, understand English and write English. Of course, in Canada that would apply to both English and French.

In Bill C-16 the government has stipulated that people should have an adequate understanding, an adequate knowledge. Adequate in no way implies that they be able to read one of the official languages, be able to speak one of the official languages, be able to understand one of the official languages, or be able to write in one of the official languages.

Australians knew they had a problem to fix. In Canada we have not fixed it. As a result, we are spending all sorts of money to teach

people the language once they come here. That puts a burden on Canadian taxpayers. It is something that could have easily been remedied by actually having provisions for those four skills with regard to understanding the official languages, but the government failed to do that.

There are other things which Australia had the courage to deal with which this government did not. The Australians also had the skill level restricted to those occupations that require a trade certificate, a degree, a diploma or an associate diploma. As well, the qualifications must have been obtained at least three years before the application to immigrate was filed. That is very pertinent. In Canada we have a lot of people who are immigrating who have particular skill sets, but when they come to Canada, because they do not meet the qualifications here, they cannot work in their area of expertise. As a result, we have a number of well educated people driving cabs. That is part of the problem with what the government has done.

Australia also dealt with age. We all know that we have a huge aging population. We have a demographic bubble that is going to burst in 2017, which will probably bankrupt and destroy the Canada pension plan. Nonetheless, this government is continuing to allow itself to take on more and more unfunded liabilities and responsibilities with regard to social programs and pensions for people who immigrate.

Australia had the courage to say that the ideal age criteria for a new immigrant were people who were over the age of 21 and under the age of 35. People over the age of 45 would not be acceptable. Australia recognized that the pension and health care obligations would be too burdensome. The Australians recognized that it would be a burden to allow people from other countries to immigrate without pension and health care systems such as we have in Canada. It would be a burden for them to enter under an easy guise and receive those benefits without actually having provided much of a benefit to the country in terms of having worked there productively during their prime earning years. Australia had the courage to deal with these things. However, once again this government totally shied away from any of those important considerations.

My party and I would support an immigration and citizenship policy that would require children born in Canada to take the citizenship of their parents. Children born in Canada to landed immigrants, therefore, would assume Canadian citizenship. However, people who come here, putting their child and themselves at risk in order to bear their child in Canada, should not be given citizenship. We are creating an incentive for those women to put themselves at risk.

The citizenship oath, clause 34, had very little public input. The minister, in a sense, prepared this oath on her own. There was no debate and the citizens were not involved in creating the new oath of citizenship. It would have been an ideal opportunity for a

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nationwide patriotic debate on the matter but that was not done. The minister decided to develop this on her own behind closed doors. Now we will have whatever the minister deems fit as a citizenship oath rather than what the country could have decided.

• (1245)

Once again I reiterate that there were many things the government could have done and failed to do. For example, with regard to spousal considerations, spouse will be a very loose term. As a result, spouse will include not the idea of just a marriage between one man and one woman but it will also include common law relationships. Goodness knows, we have sham marriages that are arranged already, but imagine if we allow people in on common law relationships.

It gets even better. There is the allowance for the whole idea of same sex provisions. For example, a person could pick up a lover some place where they do not have the same type of medicare provisions for AIDS research and whatnot. They could bring those people back here and because they would be considered a same sex partner they will be able to charge those medical bills to the Canadian medicare system. When does the silliness end?

I want to wrap up with what I consider to be basically the summation of the points. We used to have citizenship based on five years of actually living in the country. It has now been whittled down to three out of six. There is no provision whatsoever for checking on whether or not they are physically present.

On top of that, it took the government five years to come up with what it has, which is very little compared to what it could have had, and it was done behind closed doors. It kept in all the provisions that dealt with patronage and continues to violate the recommendations that were put forward by its own standing committee and the recommendations that were put forward by the CIC department, the official opposition and what many Canadians themselves would support.

As a final point, I want to let the House know that as a result of these things and because of what the former parliamentary secretary was attempting to do with the bill, he believes, as do many, that the government should not be acting as a prosecutor. Right now we have people who are going before a political court, that being the governor in council, and are being stripped of their Canadian citizenship despite the fact that they have been in the country 20, 30, sometimes 40 years.

I want to table the following amendment, “That after the word “that” the following be substituted therefor: Bill C-16, an act respecting Canadian citizenship be not now read a third time but be referred back to the Standing Committee on Citizenship and Immigration for the purposes of reconsidering clauses 16 and 17 with due regard for the fact that Bill C-16 continues the current system of revocation which has been in place since 1920, allowing the governor in council on a report by the Minister of Citizenship

and Immigration to revoke a person’s citizenship and, the arguments put forward by groups and individuals, such as the German Canadian Congress, the B’nai Brith Canada and the former Parliamentary Secretary to the Minister of Citizenship and Immigration, that citizenship should be a decision of the courts and not be decided by politicians”.

I believe a subamendment will be coming forward as well. The amendment basically deals with the whole idea that the government can act as prosecutor against people who have been in the country for decades.

While we want to be able to deal with these things expeditiously, we cannot have the cabinet acting as the judge and stripping people of citizenship despite the fact that they have been here 10, 20, 30 or 40 years. That is not fair to them and it is not fair to their families.

• (1250)

Obviously, Madam Speaker, you can hear the catcalling across the way. The Liberals know they have back-stabbed their parliamentary secretary and I am sure are feeling guilty about it, as they should. I have seen some rather dastardly things pulled here today. Hopefully, they will take that into consideration and in their caucus meeting on Wednesday they will be able to debate it and figure out the right thing to do so they are not depriving people.

I want to ask for unanimous consent to replace the motion by the member for Waterloo—Wellington, which is now before the House, with the following amendment, “That the motion be amended by deleting all the words after the word “that” and substituting the following therefor: Bill C-16, an act respecting Canadian citizenship be not now read a third time but be referred back to the Standing Committee on Citizenship and Immigration for the purposes of reconsidering clauses 16, 17 and 18 with due regard for the fact that Bill C-16 continues the current system of revocation, which has been in place since 1920, allowing the governor in council, on report by the Minister of Citizenship and Immigration, to revoke a person’s citizenship, and the arguments put forward by groups and individuals, such as the Canadians Alliance, German Canadian Congress, B’nai Brith Canada and the former Parliamentary Secretary to the Minister of Citizenship and Immigration, that citizenship should not be a decision of cabinet, and those threatened with revocation of citizenship should have access to full judicial appeal”.

The Acting Speaker (Ms. Thibeault): Is there unanimous consent?

Some hon. members: Agreed.

An hon. member: No.

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Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Madam Speaker, it seems to me that every group that appeared before the committee and spoke on the issue of revocation of citizenship said that there should be a right to appeal the decision of the federal court judge, trial division. The problem with the way we have set it up is that the federal court judge who makes that very important decision is not accountable for his finding to any other court. The bill does not touch on the judicial review.

I am sure I heard every witness and I read all the submissions. Every group that made a comment said that there has to be a right to appeal. The way it is puts the judicial process in disrepute. Could the member comment on that?

Mr. Rob Anders: Madam Speaker, the former parliamentary secretary is right. Every group that appeared before the committee cited problems with citizenship revocation and recognized that allowing this to be a decision by the cabinet would put it in political hands. They did not feel it was fair that people who had been here for 20, 30 or 40 years could have their citizenship stripped without what they considered to be a fair process.

The parliamentary secretary listened well to all those people who appeared before the committee. I know he has put a lot on the line by going ahead and standing up for what he believes is right in this case. He has listened to the will of his constituents on this matter.

We had many groups appear before the committee. The Canadian Alliance had representatives on the standing committee. We had the former parliamentary secretary who has lost his position as a result of his stand on this. I am sure his own constituents and many people across the country have cited problems with the citizenship revocation provisions in Bill C-16 which would go ahead and unfairly strip citizenship from people who have been in this country 20, 30 or 40 years without due process.

• (1255)

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, it would appear that we are having the real debate on this legislation when it is too late to make substantial changes, at least in the House of Commons.

I congratulate the hon. member on his speech. He pointed out some very important things with respect to the bill. He also touched very briefly on the oath of citizenship and the fact that the amended version of the oath in the legislation was created by the minister herself or some bureaucrat in her ministry. However, he made an error in his presentation. He said that there had been no public debate about the content that a new oath of citizenship could take. He is wrong about that.

The Standing Committee on Citizenship and Immigration considered the citizenship bill in 1993 and 1994. I was part of that committee at that time. We heard extensively from citizens and

new Canadians who wanted to talk about how wonderful it was to come to this country and become a Canadian, and how they felt very strongly that there should be some kind of declaration of citizenship which expressed the values of being a Canadian and the values of Canada in some manner that was more eloquent than what exists in the present oath. They talked of values like democracy, freedom of speech, equality of opportunity and the rule of law, things that do not exist their countries.

What has happened, despite all that input, is that we now have in Bill C-16 a revised oath and none of us know who wrote it or where it comes from.

Would the hon. member opposite not feel awkward, as I will feel awkward, to see new Canadians taking a new oath of citizenship for which this parliament has had no debate? There has been no debate in the standing committee about the content of the oath of citizenship that is now before the House and to which new Canadians will be required to swear.

What kind of country is it that would leave something so important and so sacred as the oath of citizenship to some unidentifiable bureaucrat and not have the courage to stand up in the House and create a version of the oath of citizenship that belongs to this House and this nation, and not to some contracted out, invisible person?

Mr. Rob Anders: Madam Speaker, like the hon. member across the way who just spoke, I think it is a shame that we have not been able to debate more of these things in depth. We were not given the opportunity as Canadians to have a vote on this. There was no great patriotic debate across the country.

I know the hon. member cares deeply about the oath of citizenship and had his own thoughts on the matter. Unfortunately, some members in his own party have pulled some sneaky manoeuvres to go ahead and stifle the amount of debate on this particular topic and the ability of the former parliamentary secretary to make amendments as best as he could so that he could try to make positive changes to the bill.

It is a sad day when we cannot have a fair debate on an oath of citizenship and the revocation of citizenship. A nation that does not control its borders and cannot have a serious debate on who and who is not a citizen and what that requires, where is that nation headed? That is a nation in big trouble. It is a real shame when things like that are left to the bureaucrats without any fair public debate.

I want to once again mention that I am splitting my time with the hon. member for Calgary Centre. Did I mention that before?

The Acting Speaker (Ms. Thibeault): I am afraid that the hon. member has spoken for much longer than 10 minutes. There is no question at this point of splitting his time. Right now we are in the

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10 minute question and comment period and 8 minutes have already passed. There are two minutes remaining for questions and comments.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Madam Speaker, I certainly observe across the way what is sometimes more a concern about the unseemly internal Liberal manoeuvres than what really may be needed in the country. Instead of what Liberals want, what do Canadians want? What about a real political mandate to act? The parameters of citizenship go to the heart of how Canadians define themselves as a country.

• (1300)

A question was just asked about what kind of a country Canada is. In many respects it is a Liberal ruled country whose governance is quite out of date in attitude.

When we talk about citizenship, immigration and those kinds of things in general in my riding there is not a lot of confidence in the system. People just wag their heads in disgust. They throw their hands in the air and ask what can be done because it is a bureaucratic system that is detached and out of touch with how they would define their country.

We are looking today to restore some basic confidence in the system that someone is minding the store. When people in the community say they are immigrants, it should immediately bring elements of respect because we know of the good system of credits and merits they have come through. That attracts confidence in the system rather than the direct opposite.

I would ask that we speak today of some points on how we can be positive in fixing the system instead of always defending the old status quo.

Mr. Rob Anders: Madam Speaker, it is a fitting comment to wrap this up and say that there is no better example of how out of touch the Liberal government is. It will not allow a debate on the oath of citizenship. It will not allow a debate on citizenship revocation. It will not allow its own parliamentary secretary, who sacrificed his job in order to stand up for his constituents, to address these issues.

The government is so fearful of having public debate and even scrutiny by some wise members on its own benches that it will leave it all up to the bureaucrats, cover it over and hope it just goes away.

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Madam Speaker, let me say to members of the House that the debate is not over. The debate has just started. The issue is that the government can put the bill through and probably will, but the debate has

started across the country within groups of Canadians who are citizens by choice.

I talk to them about this issue. I am already getting some complaints from members on this side. They are not very happy. We have started a petition which is addressed to the House of Commons. We will come back here with many petitions. I also have a website set up under www.telegdi.org.

In the next year we will be having an election. I said to all my colleagues in the House that before they vote on the report stage amendments they should think of people close to them who were not born in this country.

They should ask themselves if they would want them to have the due process of law with the right to appeal. Would they want them to have that right? Do they not believe it is the courts rather than politicians who are in the best position to make that determination?" I tell all my colleagues that they will be asked those questions. Maybe at that point in time they will get it.

• (1305)

I have received many calls from people across Canada. I think it is proper to put some of those communications on record. The first one I received was from the Aboriginal People's Commission of British Columbia which wrote to the Prime Minister with copies to members of the citizenship and immigration committees as follows:

The Aboriginal People's Commission of British Columbia has grave concerns regarding the revocation of citizenship sections of the proposed Citizenship Act, Bill C-16.

As members of Nations throughout Canada who trace their ancestry to the creation of this land, we feel our generational acceptance, welcoming and assistance to immigrants to our respective homelands gives particular weight to our deliberations and conclusions. We therefore respectfully submit the following motion passed unanimously by the Executive of the Aboriginal People's Commission in B.C. at our May 25, 2000 meeting:

"That we call upon Parliament to amend the proposed Citizenship Act to guarantee that the courts, not politicians, will decide revocation of citizenship, and;

That there is a provision for appeals from a decision of the Federal Court Trial Division to the Federal Court of Appeal and/or the Supreme Court of Canada, with the leave of those courts, in both existing and new cases involving revocation of citizenship".

As descendants of the First People of this land who welcomed and aided the ancestors of a majority of Canadian, and as Liberals we pray that you will guide your members to revisit the clauses in Bill C-16 with the same spirit and hope that founded this Country.

That was signed by Kim Recalma-Clutesi, president of the Aboriginal People's Commission of British Columbia.

I have already received communications from the Liberal Party of Nanaimo—Alberni saying similar things. It is signed by Mr. Joe Dodd, a Canadian citizen by choice. I have further received communications from other Liberal members out west who say that like me they are immigrants. The idea of not having the right to

appeal to the Supreme Court of Canada if their citizenship were challenged is, to say the least, frightening. They are dismayed and disappointed that the government would take such a step. No doubt this decision will haunt the Liberals in the next election.

The amount of information I get goes on and on and on. I can tell members that this issue will not die with the passing of this act because we are entering the new millennium with second class citizens in this country.

One communication I received, and I have received numerous, was from people who were in concentration camps and had been deported from their countries. Members should think about a Sikh Hindu living in Pakistan. Many of them were deported to India. They came here from there. Members should think about all the displaced persons after the war. They were shuffled out of various countries in the world and came to this country. They take their citizenship rights very seriously.

Part of my mother's family moved from Germany to Hungary about 500 years ago. My natural father was Hungarian. My stepfather who adopted my brother and I was born in May 1919. He is a Jew. The day he was born Hungary was passed over to Romania because of the Versailles Treaty so he had a jump in his citizenship. Surviving for a Jew in Transylvania in Nazi occupied Europe was a horror, but survive he did. Since he was a Jew he could not attend university in Romania. He went to the University of Paris where he obtained a degree in architecture and town planning.

• (1310)

He changed his name. I only found this out a couple of years ago because I do not have a whole lot of family. I received an e-mail from Texas giving the same last name as mine and wanting to know if we were related. I quite excitedly phoned him to talk to him about it. Then he told me the story. He changed his name because he wanted to survive Nazi dominated Europe.

My sister, who is in the gallery with us today, did not know that she was part Jewish until she was 12 years old. We came out of Hungary as refugees. We stayed in a refugee camp for Jews because of the anti-Semitism that existed.

On my mother's side they suffered terribly under Soviet occupation, as did my father. Things happened in Europe that were just horrid. If there is any person who is guilty of war crimes or crime against humanity, I want to be right there to make sure he or she is brought to justice. It is wrong for us to exclude more than five million Canadians from the benefits of the charter of rights and freedoms or the due process of law in defending something that is very valuable to them such as their citizenship. It is something that will change.

I am disappointed in my colleagues in the New Democratic Party. The New Democratic Party, its predecessor and the labour members of the Winnipeg council led the fight to stop massive

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deportations from the country for people who were not guilty of anything more of a crime than being unemployed during the depression or perhaps being involved in organized labour. The process is called D and D: denaturalize and then deport. We have done this to tens of thousands of Canadians.

The unveiling of the tomb of the unknown soldier yesterday represents so much that many immigrants to this country come to find. I read Mark Bonokoski's column the other day. He asked us to imagine who the person could be.

I do not know if members of the House know that we had soldiers in the first world war who were immigrants. They came back wounded to this country and needed care in hospitals. Many of them were deported because they were on relief. Let us think about it. Many soldiers that fought for this country in the first world war came back wounded and were deported because they needed relief and hospitalization. No wonder the veterans associations are very active in trying to stop these deportations.

• (1315)

I spoke about the dark period in our immigration history. I recommend that all my colleagues read the book *Whence They Came* written by Barbara Roberts which deals with deportation from Canada. It contains a wonderful foreword by Irving Abella. He talks about how the department of immigration was controlled. He talks about a small group of government officials who desperately strove to send off offensive people operating to a large extent outside the control of parliament and the courts.

I have sympathy with what my colleagues are putting forth with regard to Bill C-16. It would have been a great millennium project to have had contests in communities and schools across the country to come up with an oath that we could truly call Canadian versus having it done in the shadows by bureaucrats and consultants.

This bill came out of the bureaucracy. If we think about it, it is trying to wrest back control. How? The citizenship court judges I know have done a fantastic job. I am thinking of Mr. Somerville, a present judge, and Lorna van Mossel, a former judge. The judges do a fantastic job but they are a problem to the bureaucracy. They are independent and the bureaucracy does not want too much independence given to judges.

The Liberal government got suckered when we came into this place in 1993. Sergio Marchi, the minister at the time decided to get rid of citizenship court judges. It was a big mistake. The judges were replaced by the downgraded position of commissioner. I suggested that perhaps they should be magistrates to give more pomp and ceremony to the office, but that was turned down. This was totally, completely, utterly driven by the bureaucracy, the same bureaucracy that has fought any meaningful answer to parliament and the courts.

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Bill C-63 would not only take away the citizenship of the person who arrived here fraudulently, but also the citizenship of the person's dependants. Consider my case had that bill passed. My mother is dead so I do not know what anyone could find on her, but let us suppose that she arrived here fraudulently. At 54 years of age I could be deported. Think about that. My wife and daughter were born in Canada. They have no great inclination to go to Hungary, if Hungary would take me, German being part of my ancestry. Think about what this does to families. That was another area where the bureaucrats tried to extend their clutch.

Under clause 18 a person's citizenship can be annulled without an appearance before a judge. It is bogus and not right. Clauses 16 and 17 are a disgrace and I believe they bring our sense of justice in Canada into disrepute.

● (1320)

I am a Liberal and I am ashamed that my party, the party that brought Canada its charter of rights and freedoms, does not believe enough in citizens by choice to let them enjoy the protection of the charter of rights and freedoms for something that is so valuable to them.

I admired the Progressive Conservative Party particularly under John Diefenbaker and his bill of rights. I am surprised at how the party voted on this issue. I am greatly disappointed in the New Democrats. I am disappointed, because of my earlier comments, of how they have led the battle for social justice, to hear the member from Winnipeg, the party's critic, stand and defend the right not to have appeals.

I was at the committee to hear all the witnesses and I read and reread all their submissions. Every person said there needed to be a right to appeal. There needs to be a right to appeal because Canadian citizenship is important enough that we do not want to rely on one judge who is not infallible, one judge who is not judicially accountable. We certainly do not want revocation of citizenship to continue in the star chamber of cabinet where the people are not judges. The Prime Minister is not a judge; he is a lawyer, but he is not a judge.

Think about it. A refugee claimant in our country has the protection of the charter. A visitor to our country who commits a serious crime has the protection of due process all the way to the supreme court. But for Canadians by choice those options are not available. This will go into the streets. It will go across the country and many people will demand a change to this archaic and draconian law.

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, the member for Waterloo—Wellington and I resonate on this issue because my concern with respect to Bill C-16 is the fact

that the oath of citizenship has essentially failed to meet its obligation to describe what it is to be Canadian. I proposed as a result of input received from new Canadians to the standing committee in 1993-94 that we incorporate in a citizenship oath or a citizenship declaration the five principles of the charter of rights, one of which was to uphold basic human rights.

What do the member of Waterloo—Wellington and I have to whine about when we have a citizenship oath before the House now that simply tells us to obey the laws of Canada and to faithfully fulfil the duties of being Canadian but talks of nothing about basic human rights or upholding them? It seems to me that we are on the same wavelength because we have a situation, and it is not just government, it is parliament, where we are missing an absolute opportunity to say that as Canadians we are not about simply obeying the law, whether it is a traffic law or the criminal code, we are about upholding basic principles of human rights, which is what the member for Waterloo—Wellington is talking about.

But we do not say that. We say Canadians are simply people who obey the law. I say to the member for Waterloo—Wellington the government has decided that the law will be such and such, that it will not provide an appeal process. With the oath that is in Bill C-16, one can be a good Canadian and obey a bad law.

Mr. Andrew Telegdi: Madam Speaker, I ask my hon. colleague not to do me the dishonour of calling me the member for Waterloo—Wellington. I am the member for Kitchener—Waterloo.

● (1325)

What the member just said is really the essence of what a citizenship bill should be about. He talked about this country being governed by law. About a week and a half ago, the Prime Minister was in one of the neighbouring ridings to mine. He was quoted in the newspaper as saying that the one key thing in the life of a nation is to make sure that the rights of its citizens are protected by the courts in the land and not subject to the capricious elected. It was the recognition by the Prime Minister that if a person is charged with an offence he or she would not be judged by politicians but would have the due process of law.

I can say to my colleague that many new Canadians and Canadians born here have a problem with this bill. The biggest problem with the bill is the process that got it here. It is the closed process that has operated in the Department of Citizenship and Immigration for decades. It has got more restrictive. Parts in the bill make revocation easier. Parts have been put into the bill which will remove interference by such people as the citizenship court judges.

I will tell the hon. member about a citizenship court judge a number of years ago when I was on city council and president of the multicultural centre in my community. We tried to have a

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citizenship ceremony on Canada Day. We could not have it because it happened to fall on a long weekend and the bureaucrats in the department did not want to break up their long weekend. On Canada Day there should be citizenship ceremonies right across the country. We should tell new citizens that we value their citizenship enough that if anyone tries to remove it they have the protection of the Canadian Charter of Rights and Freedoms and they have the protection of the courts.

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Madam Speaker, I could not help but notice that the hon. member made reference to the disconnect between the bill and what went on in the committee process. I am reminded of committees I have been involved with, the joint Senate-Commons committee on custody and access, the committee that was launched by the finance minister on fair family taxation, and other committees that bring forward a suite of pretty good recommendations. There is a consensus among members in the House, witnesses are heard and recommendations come forth. Yet we see either no action, as in the case of custody and access, or policies that ignore the recommendations based on the fair family taxation committee. This seems to be what happened here.

I did not have the privilege of sitting on the committee that examined this bill, but I am on a number of other committees. When I look at the bill and read the short version of what came out of the committee there seems to be a real disconnect. Would the hon. member speak to the differences between what went on in committee and how well this bill reflects the witness presentations at committee?

Mr. Andrew Telegdi: Madam Speaker, it is sad for me to say that on many occasions the recommendations of the witnesses were not incorporated. The most telling one was on the right to appeal. Not one person said that the status quo should be maintained. Everybody appearing before us wanted to put in their right to appeal because they believed that would increase the value of citizenship for people like myself and other Canadians by choice.

• (1330)

Mr. Janko Perić (Cambridge, Lib.): Madam Speaker, with only a minute left I will not ask a question of the hon. member for Kitchener—Waterloo. I will take this opportunity to commend my colleague. Both he and I are so-called newcomers to this country. As well as having similar pasts, being almost former neighbours from Europe, we are neighbours now in the Waterloo region. I want to commend him for his courageous stand, his principles and his beliefs. I have been honoured to work with him very closely on this important issue which is very close to both of us as well as to over five million Canadians.

At the same time, I am disappointed that one of our colleagues, whom I should call the delivery boy, would take that kind of stand

and position and talk in the House when he has no clue what it means to be a new Canadian and what it means to get Canadian citizenship.

I want to thank my colleague again.

Mr. Andrew Telegdi: Madam Speaker, my colleague and I share many of the same views on this. I have often attended citizenship courts. Having realized what this bill is about, I go less often now because I do not want to stand up and tell people that they are now third class Canadians and that in five years they will be second class Canadians for the rest of their lives.

However, when I did attend citizenship court and saw people from Bosnia-Herzegovina coming to get their citizenship, there would be Croatians, Serbs and Muslims. What I always said to them was “Please, for God’s sake, bring the best you have but do not bring over your centuries’ old grievances because Canada needs the best you have. We cannot handle your strife”.

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Madam Speaker, I appreciate the earlier presentations of the speaker opposite. He made a very impassioned and well articulated commentary on the flaws in the bill. Even as well as he did that, he could have gone further when we reflect on the impact that the bill could have if it were used inappropriately by the bureaucracy and those in positions of power.

The legislation, Bill C-16, will repeal and replace the current Citizenship Act passed in 1977. The legislation makes several changes to the current act with the intention of providing more clearly defined guidelines, supposedly updating sections, replacing current procedures with new administrative structures and increasing the minister’s power to deny citizenship. I think that is the crux of what was spoken to in the previous speech.

Bill C-16 is touted as being “the first major reform with respect to citizenship in more than 20 years—an attempt to modernize the act in order that it might better reflect the true value of Canadian citizenship”.

However, while some parts are more clearly defined than in the previous act, Bill C-16 does not constitute a major modern reform as they say it does. Critical areas have been neglected while others have been altered in a negative way.

The minister received the recommendations of the government-dominated Standing Committee on Citizenship and Immigration in 1994. The government has taken over five years to prepare this legislation which still, as we just heard from the previous speaker, does not address the committee’s key recommendations. The government took five years to put it in and it still ignored the committee’s recommendations. Tragic.

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• (1335)

There are a number of interesting provisions in Bill C-16. The first provision I want to spend some time on is in clause 8 which has to do with adoption outside Canada.

Bill C-16 will reduce the distinction between a foreign child adopted by a Canadian citizen and a child born in Canada. Currently a foreign child adopted by a Canadian citizen must first be admitted to Canada as a permanent resident before citizenship can be granted. The new legislation will make it easier for adoptive parents to gain Canadian citizenship for the child if adoption occurs outside Canada. This provision is of particular interest to me as I recently had a private member's bill of my own drawn for debate. It also has to do with adoption, both domestic and international.

My Bill C-289 proposes to extend a tax deduction of up to \$7,000 for the expenses relating to the adoption of a child. Adoption is a gentle option that is under-appreciated and under-utilized in this country. Couples who adopt from other countries face extremely high out-of-pocket expenses. My bill would go a long way in helping couples who want to offer a loving home to children in need of parents. I look forward to obtaining the support of all members of the House for this legislative initiative. I believe we should encourage couples who wish to adopt. In fact, in Canada many people are on waiting lists to adopt. They go through considerable expense in order to adopt and care for a child in need but we offer them no assistance. They do it all on their own. When we consider the incredible social contribution these couples are prepared to make, we should recognize it and make easier not harder.

The next provision in Bill C-16 I want to spend some time discussing is clause 43. Clause 43 is, I suggest, the most disrespectful to this parliament and to Canadians. It would essentially give the minister the power to define what a family is in whatever manner the minister happens think on any particular day. Under this clause, Bill C-16 grants the minister power without any oversight or any guidelines. It basically grants the minister the power to decide who may make an application under this act on behalf of a minor. It is solely up to the minister as to who may to make application for a minor.

Second, the bill allows the minister to define what constitutes a relationship of parent and child for the purposes of determining entitlement to citizenship under any provision of this act. That is directly from the act.

Why in the world should the minister now be meddling in what constitutes a relationship of a parent and child? Are we to believe that parliament cannot or should not spell this out for clarity, consistency or just plain common sense?

Perhaps, rather than having parliament define what should be obvious what a parent and child relationship is in legislation, the minister feels she knows better and should unilaterally decide

whether people are father, mother, son or daughter. It does not make sense. It is the duty of the government to draft legislation that is clear. It is the duty of parliament to ensure that legislation is well structured and will stand the test of time so that it can serve as a clear guide to those tasked with implementing what is passed by this Chamber.

The government is insulting this place by putting forward such muddled legislation which, by definition, will not be consistently applied. One day she decides this is familial and the next day something else. There is no guideline. It is totally left to the discretion of bureaucrats in the minister's office. This is unacceptable. These provisions in the bill need to be revoked.

Regarding the ability to define a genuine parent-child relationship, the member for Scarborough East, a Liberal on the other side, on May 13, 1999 during a committee meeting, said "It is a bit of an unusual circumstance where a regulation is—allowing a definition of a concept—and, in particular, going over the edge from a regulatory idea to a legislative idea. I think, frankly, it is out of order, that it is in fact not within the purview of a governor in council, or the minister or the minister's officials, to define what constitutes a parent or a child".

• (1340)

He went on to say:

I think these are, in technical language, *ultra vires* of a minister, *ultra vires* certainly of the minister's staff, *ultra vires* of the governor in council, and clearly show a willingness on the part of the government to defer issues to areas where they should not be deferred.

The Liberal member pointed out a particular flaw in the legislation that I am also concerned about. He said "There are several on the issue who felt that it is the prerogative of parliament to enter into these definitions". I would agree with him.

He further stated "In my view, the only way in which these things can be acceptable is if they are deleted so that the ministry, the minister and the governor in council are bound by the definitions that currently exist in law and in legislation. There can be no freelancing on the part of the minister or governor in council or staff officials to expand definitions of spouse or parent or child beyond what currently exists in legislation".

These are wise words. There should be no freelancing but what do we have? We have complete freelancing and deferral to the bureaucracy and the minister's office to determine what is a familial relationship.

We can rightly take issue with delegating such immense powers to the minister alone. We can think of some other issues that have

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given Canadians a great deal of unrest. The billion dollar boondoggle, for example, in the Human Resource Development Department, has given Canadians ample understanding of why we should not just put total blind faith in any minister.

There we saw a bungling of epidemic proportions. Public money was given out without any application on file and 80% of the files showed no evidence of financial monitoring. Two-thirds of the files did not even have a rationale for recommending the project. Money was spent on things such as fountains in the Prime Minister's riding, and on and on.

After all that broke and after the public outrage at the incompetence of this particular ministry and minister for the way it was handled, the Prime Minister turned a blind eye and that minister is still sitting in cabinet. There has been no change.

In 1991, when the Prime Minister was in opposition, he said "You take the blame when something is wrong and you do not finger anybody else but yourself. That is what a person of dignity does".

I agree with him, but it has not happened on that particular issue, and I wonder if it will happen on this bill.

In the context of this bill, let me say that Bill C-16 has numerous insupportable elements that we are concerned about. I briefly mentioned that it is far too reliant on regulations which we have not seen. The regulations that will determine how this bill is implemented have been drafted by bureaucrats with little input from the House or the public and they can be changed without consultations. As was so eloquently argued by members on the opposite side of the House, the changes will affect people's lives.

People in my riding have come to me concerned about this bill and how it will drastically affect their personal lives. When their citizenship in a country they hold up as their nation of connection and speaks to who they are is cut out from under them, it is very disconcerting for a number of very legitimate reasons. We have left all that in the hands of regulation drafters with no oversight by the people's representatives in the House of Commons.

As I said, Bill C-16 allows too much discretionary unaccountable power to be left in the hands of government. Even the Liberal parliamentary secretary has spoken out against clauses 16 and 17 which deal with the revocation of citizenship. The legislation as introduced does not provide individuals, who had been granted Canadian citizenship, full access to the legal system if their right to citizenship is challenged. Hon. members should think about that.

All of a sudden our right to citizenship is challenged and we are no longer Canadian citizens. In light of that, we do not have access to full legal redress, an appeal process and the proper due process of law to clarify. Even if there is some mistake, we are cut out from that.

• (1345)

The bill is very disconcerting to many of us in the House. Although departmental officials insisted that this clause was not a serious concern, the issue caused great concern to members of the committee and to the vast majority of witnesses, all ignored.

We in the Canadian Alliance agree that once citizenship is granted it must be assumed to be genuine. The revocation of citizenship is not something to be taken lightly and must be done only under the complete and thorough scrutiny of a fair and legal process.

The Liberal member for Kitchener—Waterloo made his opinion quite clear during the standing committee proceedings, during report stage debate in the House, and most recently in the media. He actually resigned his position as Parliamentary Secretary to the Minister of Citizenship and Immigration because he felt so strongly about his own party's unwillingness to listen to his recommendations. Who is driving the ship over there? Is it the elected minister and MPs, or is it the bureaucracy? The approach to the legislation is telling Canadians who is really driving.

He believes the power to revoke citizenship should not be left in the hands of the governor in council as it stands in the legislation. The Canadian Alliance agrees. We commend the member for Kitchener—Waterloo for his stance on the issue. This goes beyond partisanship. This goes to what is right for Canadians.

It is nothing new to see the Liberal cabinet not listening to one of its backbenchers. We have seen that repeatedly. If the Liberal cabinet had been listening to her backbenchers, I wonder if the possession of child pornography, for example, would still be legal in B.C. It has been almost a year and a half since the courts in B.C. struck down the section of the criminal code which prohibited the possession of child pornography.

I remember well that after the initial position, to their credit, 79 Liberal MPs and senators wrote to the Prime Minister urging him "not to wait for the appeal of the B.C. decision to be heard but immediately act in defence of Canada's children and consider the use of the notwithstanding clause to send a clear message that Canada's charter of rights and freedoms will never again be used to defend the sexual abuse of Canada's children".

A number of members in the Liberal backbench signed that document. We were glad to see it, but what happened? It is something like what we are seeing with Bill C-16. It is being ignored.

We in the official opposition gave the government a chance to act, to protect our most vulnerable with a parliamentary motion last year to do exactly what the 79 Liberals had called upon the Prime Minister to do. We put forward that motion.

Government Orders

The backbenchers unfortunately wilted under the pressure exerted I guess from the Prime Minister's Office to step away from it on the promise that a federal government appeal would solve it within two months and that it would all be put back in place. How long has it been now? A year and a half, and we still have not heard a decision on that issue. Those who possess child pornography in B.C. today will face no penalty. It is impacting on cases across the country.

In closing on that issue, the same Liberal backbenchers voted against our motion that would have enacted exactly what they called for in their letter. Unfortunately they did not follow through on their position.

To get back to the revocation of citizenship issue, the Canadian Alliance critic for citizenship and immigration put forward an amendment that would have changed this clause during committee. We have heard some commentary from members opposite. He put forward an amendment that would have addressed the shortcomings of the revocation of citizenship issue but the Liberals on the committee voted against it. Unfortunately we did not see the changes that many of the witnesses wanted to see and some of the members opposite wanted to see. While elements of the bill have potential and could ultimately be beneficial to Canada, the flaws are so numerous that the Canadian Alliance cannot possibly support the legislation as it stands.

• (1350)

A number of members opposite, if true to their convictions in what they have spoken today, will join with us in voting against the bill. These flaws will undoubtedly cause real problems with the citizenship process in the future.

This party, the party with which I am proud to stand, cannot allow it to pass without opposition. These problems will come. We are hopeful that enough members opposite can personalize from their own lives and experience as Canadians by choice the impact of this legislation. Hopefully they will stand up, if not for their own constituents and people in that situation, for their own situations.

Canadian citizenship is an asset that many people would love to have. I have frequently had the honour of attending citizenship hearings for new citizens in my riding. There is such joy at those ceremonies. People from all over the world are ecstatic. There are smiles from ear to ear on the children, the mothers, the fathers and whole families.

They have come from another nation, another history and another personal set of experiences. They put it all aside to make Canada their home. They go through the instruction and tests. They are prepared to say "I am a Canadian". When they go through the process in Calgary, at the end we all say in unison "I am a Canadian". There are grins from ear to ear. It is very meaningful to people.

The strong feelings I have about Canadian citizenship and my love for this country were part of the motivation that caused me to run as a member of parliament. It is a privilege to take part in the debate on this bill in this special place. It is an important topic. I hope we have the collective wisdom to hear what has been said in debate today and to reflect our concerns when the vote on Bill C-16 comes to the floor.

Mr. Rob Anders (Calgary West, Canadian Alliance): Madam Speaker, once again I should like to ask a question of the hon. member and raise the whole situation with regard to knowledge of an official language.

Bill C-16 would basically stipulate that people should have an adequate knowledge of one of the official languages. It strikes me as awfully unusual that the bill lays out that people should have an adequate knowledge of an official language but also goes on to say that they would be able to have the use of interpreters for part of their review process.

If people require an interpreters to understand questions about Canada and respond to them, whether they be in English or in French, the fact that they are given interpreters paid for by Canadian taxpayers, or are allowed to use them, implies to me that they do not have what I would deem to be adequate knowledge of either language.

The Australians have dealt with this issue by saying that immigrants require four different things. They have to be able to read the official language, able to write the official language, able to speak the official language and able to understand the official language. If someone can read, write, speak and understand there is no need for an interpreter. Yet the bill still has a provision for the use of interpreters. How is the use of an interpreter an adequate understanding of one of the official languages?

• (1355)

Mr. Eric Lowther: Madam Speaker, the hon. member for Calgary West asked a question about how the interpreter fits into the equation of adequate knowledge of official languages. That is just one question of many to come.

The bill simply says that an applicant must have an adequate knowledge of one of the official languages of Canada. The flaw is that it does not provide any provision on how it is to be judged, by whom, on what criteria, or anything else.

My hon. colleague for Calgary West asks a very astute question. What does this mean? There are no criteria. It is all deferred to the bureaucracy, whoever is sitting in the chair that day, and whatever the interpreter is allowed to do. A person could effectively come into Canada, get Canadian citizenship, and not be able to speak, read, write or understand a word of French or English. That is a

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problem. It needs to be much more clearly defined in the bill, and they have missed it by a country mile.

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Madam Speaker, I was rather impressed with my colleague who just spoke and the ex-parliamentary secretary who spoke before him. These gentlemen portrayed rather eloquently some of the shortcomings of this bill.

Could the hon. member for Calgary Centre declare what exactly it means to him to be a citizen of Canada? Is it something so arbitrary that it can actually be determined by a judge? Is it something so arbitrary that someone with unique political power, political will or political ability can determine who is and who is not a Canadian citizen regardless of what the Parliament of Canada might think? Does the legislation actually permit this kind of almost arbitrary—

The Speaker: I ask the member for Calgary Centre to give us a brief answer or, if he would prefer, since there are six minutes remaining he could think a bit more about his answer and give it following Oral Question Period. What is the choice?

Mr. Eric Lowther: With respect, I would appreciate the opportunity to answer after Oral Question Period, Mr. Speaker.

The Speaker: Then that is what we will do.

STATEMENTS BY MEMBERS

[*Translation*]

THE LATE MAURICE RICHARD

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, the people of Abitibi, Baie-James and Nunavik were saddened to learn of the passing of Maurice Richard, the man all hockey fans idolized.

With his passing, Canada has lost a man who left his mark on the history of his sport and who has inspired us all by his likeable personality and his generosity.

Thank you, Maurice.

* * *

[*English*]

MAURICE “THE ROCKET” RICHARD

Mr. Hec Clouthier (Renfrew—Nipissing—Pembroke, Lib.): Mr. Speaker, hockey is the tie that binds the country together. Today we have lost a link that united all hockey fans. Maurice “The Rocket” Richard was not only loved and respected by all

Canadians. He was a hero, a symbol of all that is great and good about this spectacular sport. His No. 9 sweater has been woven into the fabric of the Canadian conscience.

As a child growing up in a family crazy about the Montreal Canadiens, Richard was an inspiration. When he touched the puck his eyes glowed the Rocket’s red glare. He was the first player in history to score 50 goals in 50 games. His playoff record of six overtime goals still stands today.

Most Canadians were not even born when Richard played. He retired after the 1960 season, after another Stanley Cup victory. It has been 40 years since the late Maurice “The Rocket” Richard thrilled with his skills, but the impact he made has spanned generations. His legend will never die.

* * *

THE UNKNOWN SOLDIER

Mr. Peter Goldring (Edmonton East, Canadian Alliance): Mr. Speaker,

Whenever we embark
On a voyage of remembrance
We well expect that the trying time
Could exact more human toll

The expedition bringing Canada’s Unknown Soldier
home from Vimy, France
Was a wonderful effort by President Chuck Murphy
and the Royal Canadian Legion.

Chuck was to see this millennium dream succeed.
He was to bring an Unknown Soldier home
To a final rest on Canada’s soil; then he himself passed away.

Today we remember two soldiers,
One unknown, who represents all war dead
And the one who brought him home

Chuck Murphy,
Dominion Command President of the Royal Canadian Legion
Husband to Alice,
Father, grandfather and friend,

At the going down of the sun and
In the morning, we will remember him.

* * *

● (1400)

[*Translation*]

THE LATE MAURICE RICHARD

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, we were all terribly saddened to learn of the death of Maurice “Rocket” Richard. He is mourned by his family and friends, and by hosts of admirers.

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This man who wore the Montreal Canadiens' sweater for so many years was a symbol and an inspiration to many. He gave his heart and soul to hockey during his entire career. He has left an unforgettable mark on several generations of Canadians and was their inspiration.

For 18 years, the Rocket roused the passions of fans with his deeds, which rose far above the ordinary, and in his playing and in his courage he incarnated the hopes and aspirations of French Canadians.

His great qualities and his exceptional talent will reserve for Maurice Richard an important page in our national history.

* * *

[*English*]

WALKERTON WATER SUPPLY

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, I know I am not alone today in expressing my heartfelt condolences to the people of Walkerton. In the past few days this small town suffered tremendous hardship due to the E.coli bacteria in its water supply system.

As a news story it has captured headlines across the country. As a tragedy it has brought out the best in people throughout the region. During this time of adversity the community has risen to meet the crisis head on, showing both strength and courage. Neighbouring towns, health professionals and area residents are making invaluable contributions of water, resources, time and support. They deserve our tremendous thanks.

I spoke to the mayor of the community. He asked me to express his appreciation for the support of all my colleagues, of all the towns across Canada, and of the Prime Minister. My prayers are with those who have lost relatives to E.coli. I hope that the people of Walkerton will rebound from this tragedy. I wish them strength and a speedy recovery.

* * *

THE UNKNOWN SOLDIER

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, Canada buried a soldier in Ottawa yesterday. We do not know his name, his hometown or even the circumstances of his death in battle. However we do know that he was young and that he died fighting for all of us. For this we pay tribute to the Unknown Soldier.

Yesterday thousands stood in solemn silence as a horse-drawn gun carriage wheeled the casket draped with the Canadian flag to the final resting place at the foot of the war memorial. Soil from the original grave in France, as well as soil from all provinces and territories, was spread on the casket.

This lad fought in a battle thousands of miles from home for all to have freedom, a freedom we sometimes take for granted. Still today tens of thousands of soldiers remain buried with no identification. Though unknown they will always be remembered in our hearts for what they did and why.

Brigadier-General M. C. Farwell, chaplain general of the Canadian forces said it best in his closing prayer, "Lord, you know him. You know him by name. And you keep him close to you forever".

* * *

THE UNKNOWN SOLDIER

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, yesterday Canada laid to rest the body of an unknown Canadian soldier in a special tomb next to the national war memorial. This soldier's body which lay for over 80 years in the Cabernet Rouge cemetery in northern France was finally brought home last week after a formal ceremony at Vimy Ridge.

I had the honour and privilege of joining the official delegation in France last week which included the Minister of Veterans Affairs, representatives of veterans organizations, a few parliamentarians and members of the Canadian forces. It was an experience I will not soon forget.

I would like to pay tribute to all of those responsible for making the Tomb of the Unknown Soldier a reality. In particular, I would like to single out Mr. Chuck Murphy, former president of the Royal Canadian Legion who unfortunately passed away last Thursday only hours after returning from France. Our deepest condolences go out to his family and friends.

* * *

• (1405)

[*Translation*]

THE UNKNOWN SOLDIER

Mr. Jean-Guy Chrétien (Frontenac—Mégantic, BQ): Mr. Speaker, yesterday, a soldier who was returned to his native land after more than 80 years, was laid to rest not far from here. We will never know if he was a Canadian or a Quebecer, whether or not he was an officer, how old he was or where he was born.

We pay tribute to him because he gave his life for freedom. Because he is nameless, he represents the tens of thousands of his compatriots—soldiers, aviators or seamen like him—who lost their lives in the cause of freedom during the two great wars, in Korea and during peacekeeping missions.

His presence among us is a reminder that the price of that freedom was much suffering, the loss of thousands of lives, and the tears of all those whose loved ones did not return.

Let us never forget these lines written by Victor Hugo, which still ring true today:

Those who for their country gave their lives
Should hear the prayers of many at their grave

* * *

JUSTICE JULES DESCHÊNES

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, Jules Deschênes, who died on May 10, was a distinguished jurist.

He was appointed to the Quebec Court of Appeal in 1972, as chief justice of the Superior Court from 1973 to 1983, and as one of the judges on the special UN tribunal on war crimes in Yugoslavia. But it is primarily for his constitutional rulings that he will be remembered.

In 1976, he upheld the constitutionality of the Bourassa government's Bill 22 establishing French as the official language of Quebec; in 1978, he struck down a section of the Lévesque government's Bill 101, in order to affirm the equality of French and English in the National Assembly and in Quebec's courts; and, in 1982, he struck down another section of Bill 101 limiting access to English language education.

A true federalist, Justice Deschênes understood the importance—

The Speaker: The hon. member for Red Deer.

* * *

[English]

HEALTH CARE

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, after spending this past week in my riding, on behalf of my constituents I rise in the House today to express our concern for the health care system in peril.

Canadians across the country are concerned about their health care system and so they should be. The government's response to date has been downright insulting.

The budget that gave \$2.5 billion over four years to health and education is an insult. A health committee that does not address the health issues of importance to Canadians is an insult. A health minister who is all talk and no action is an insult. A federal government that chooses to antagonize the provinces and refuses to work co-operatively with them is an insult.

Canada is the fifth highest spender and is in the bottom one-third of OECD countries for health care. We have farmers, educators, industrial workers and professionals concerned about health care. So they should be.

A government that is unable to address this growing concern is an insult to Canadians.

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PRESIDENT OF THE HELLENIC REPUBLIC

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, today I want to take the opportunity to welcome the President of the Hellenic Republic to Canada and to our capital city, Ottawa.

It is the first time since 1982 that such an individual has visited Canada. I take this opportunity on behalf of all my colleagues in the House to welcome the President of the Hellenic Republic as 350,000 Greek Canadians are celebrating.

It is very significant. He was the first official foreign visitor to visit the tomb of the Unknown Soldier the other day. I applaud him and welcome him.

* * *

STATUS OF WOMEN

Mrs. Michelle Dockrill (Bras d'Or—Cape Breton, NDP): Mr. Speaker, I rise today to congratulate Terry Brown, the newly elected president of the National Action Committee on the Status of Women.

Ms. Brown is the first aboriginal woman to hold this post. On behalf of the NDP caucus I want to take this opportunity to welcome her.

Unfortunately, women continue to fight for access to health care, child care and employment insurance. These are issues that affect all Canadians but often have a greater impact on women.

Unfortunately for women, good health care, accessible child care, decent employment insurance, violence against women and equality issues simply have been ignored by the government.

We in the NDP caucus recognize that these issues are vital to Canadian women and are a top priority. The question Canadian women ask is when will the Liberal government make these issues its priority?

* * *

• (1410)

[Translation]

RIMOUSKI OCEANIC

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, it is with pride and great pleasure that I rise once again to draw attention to the great and convincing victory of the Rimouski Oceanic, the team that represented the Quebec Major Junior Hockey League.

Yesterday, in Halifax, the Oceanic won the Memorial Cup, a feat made possible by the quality of their play and by their discipline.

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I extend my warmest congratulations to the players and I take this opportunity to stress the good work of their coaches and the uncommon support of the community.

Bravo to the players of the Oceanic. Their numerous fans, including myself, are elated and rightly so.

* * *

[English]

BONE AND JOINT DECADE

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, January 2000 marked the beginning of the bone and joint decade. The secretary-general of the United Nations has launched this decade in collaboration with the World Health Organization and various national and international organizations for people with musculoskeletal disorders.

There are currently 21 countries whose national governments have officially endorsed the decade but Canada is not one of them. Fortunately however, Canada has put into place a national action network which includes 18 organizations that are working on the promotion of this issue. The Arthritis Society of Canada and the Canadian Institutes of Health Research are both supportive of and taking part in this initiative.

I would like to take this opportunity to bring attention to this global initiative and thank all of the organizations that are part of the efforts in Canada.

* * *

PRESIDENT OF THE HELLENIC REPUBLIC

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, I rise today to welcome, along with over 300,000 Canadians of Hellenic origin, His Excellency the President of the Hellenic Republic on his official visit to Canada.

[Editor's Note: Member spoke in Greek]

[English]

This is the first time since 1982 that a head of state of the Hellenic Republic has visited Canada at the invitation of the Canadian government. Canada and Greece have historically shared friendly relations founded on shared values for democratic principles, respect for human rights and international law.

One of the greatest moments in my political career was when I received, along with two colleagues of Hellenic origin, the Golden Cross of the Order of Phoenix for our contributions to promoting closer ties between our country of origin, Greece, and Canada, which with our Prime Minister, has given me the privilege of sitting in the House.

I wish to thank both the Ambassador of Greece to Canada who proposed my candidacy and the President of the Hellenic Repub-

lic, a great statesman, respected domestically and internationally, for bestowing such a great honour on the daughter of two Greek immigrants who chose what I consider to be the greatest country in the world as their second homeland.

[Editor's Note: Member spoke in Greek]

* * *

[English]

ARMENIA

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, today Armenia is a proud independent country controlling its own destiny on the world stage. Unfortunately, Armenia has not always enjoyed such freedom and independence.

Following 600 years of oppression, independence was first gained from the Ottoman Empire on May 28, 1918. Tragically, freedom was shortlived as the communist takeover on December 2, 1920 was the beginning of 70 years of tyranny at the hands of the communist leaders of the U.S.S.R.

Celebrated as an important milestone in Armenian history, the 1918 independence, though brief, freed Armenia from the oppression of the Ottoman Turks and is the foundation of the new Armenian state which regained its independence on September 21, 1990.

I would like to join my fellow members of parliament in wishing Armenia a happy birthday.

* * *

[Translation]

THE LATE MAURICE RICHARD

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I would like to take this opportunity to pay tribute to a great hockey player, Canadian and Quebecer.

[English]

In Canada there is a game
Where there is one that lit the flame

He played right wing and wore number 9
In the post-war era the greatest of his time.

He skated with his brother the fans called "the pocket"
The world knew him as the one we called "Rocket"

He played every shift with pride and desire
With the game on the line and his eyes on fire.

Untouchable he was from blue line to crease
And when he would score we would all shout "Maurice".

There were only six teams in the old NHL
To future generations his legend will tell

Oral Questions

Of how he could skate and never let up
So his beloved Habs could drink from the Cup.

He is now in Montreal in the province of Quebec
Where the fans will line up and pay their respects

To many of us Richard was the best
For now in God's hands we lay him to rest.

* * *

[Translation]

THE LATE MAURICE RICHARD

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, Maurice Richard was a talented sportsman who thrilled hockey fans for years. Now he has gone.

• (1415)

He not only led on his team, he inspired an entire game. He was a symbol for an entire people. He was a man of Herculean strength who became a legend in his own lifetime.

With Maurice Richard's death goes something of all of us. A page of our history has been written. This is a tragedy for all of us. All of Quebec is grieving. A giant has died, but his strength of character, his exceptional talent and his unfailing determination will long inspire us yet.

On behalf of my colleagues in the Bloc Quebecois, I would like to offer my condolences to his family and his friends and to the people of Quebec.

ORAL QUESTION PERIOD

[English]

HUMAN RESOURCES DEVELOPMENT

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the HRDC minister's big brother database has collected Canadians' most private details. It has information on family status, employment history, social assistance information, immigration records. You name it, Mr. Speaker, the minister's got it.

Today, after a cross-country uproar from the opposition and Canadians, this minister has now turned tail and announced she will dismantle her database.

Why does it take constant hounding from Canadians before this minister will do the right thing?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, earlier today I announced the dismantling of the longitudinal labour force file. It comes less than two

weeks after the privacy commissioner tabled his last advice on this file. At that time I indicated that I wanted to work with him co-operatively to deal with our shared concerns. The announcement today is an outcome of this very co-operative working relationship and I would note that he fully supports our undertakings.

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I would say it is an outcome of getting caught. Day after day in the House the minister has stood to assure Canadians that the big brother database was just fine and dandy. In fact, she said it was totally legitimate. In fact, she said it was encrypted. Now, after enormous public outrage, she has decided to scrap the whole thing, and the minister gives her little hand for it.

Why was her database essential last week but it is a security risk this week?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, again the opposition is just fearmongering. Let us remember what the privacy commissioner said last week. He indicated that all laws had been abided. He indicated that there had been no breaches of information, but he identified a concern for the future. With the changing technology and with the rapid advancements, I too am concerned about that. That is why we have taken the prudent measure of dismantling the longitudinal labour force file.

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I do not think anyone buys that. In fact, I do not think they trust the minister.

Her news release says that her department has returned the big brother database information to the Canada Customs and Revenue Agency and that department will maintain all the information in the future. However, the news release says "authorization of future linkages with HRDC held data will be considered case by case".

That begs the question, just what kind of cases will trigger the recreation of the big brother database?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let us look at what the privacy commissioner said. He said in a letter to the deputy minister on May 27: "We accept and support these measures. They satisfy all the recommendations and observations that were outlined in my 1999-2000 Annual Report".

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, Canadians were rightly outraged when they learned of this government's big brother database. In the last week, because of a lack of trust in this HRDC minister, over 30,000 Canadians have written asking for their own personal files, files which they have every legal right to see.

Does the dismantling of the minister's database affect those 30,000 requests for Canadians' personal information?

Oral Questions

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, we will respond to the requests of Canadians who have asked for this information. Clearly the file has been dismantled, but we will facilitate the gathering of that information from its separate sources so that Canadians who wish it can have it.

• (1420)

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, the Department of Human Resources Development admitted last week that it had no way of verifying whether the 30,000 requests for information were legitimate. How will the minister ensure that highly sensitive and personal information about every single Canadian will not end up in the wrong hands?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, clearly, this is a very important question. We have been working with the privacy commissioner to identify a process by which individual Canadians can receive this information, but do it with the confidence that it will be their information.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, again last week the government was staunchly defending its megafire, explaining to us that its existence was essential to the administration of government records.

The Prime Minister himself had rejected the idea of dismantling this file, yet today, unexpectedly, it is no more.

What went on between last week and today's decision that would explain this about-turn by the government?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, along with the privacy commissioner, we understand the importance of good information so that we can create good public policy. Along with the privacy commissioner we understand that the privacy of Canadians has to be paramount. Together we looked at the future of this file. We saw it coming to its limit. Rather than add more information, the prudent thing was to take it apart and create a regime of protocol so that we can continue to access the information as needed, as defined and as reviewed. This includes a review by the privacy commissioner, so that we can not only continue to have effective management of files, but also ensure the privacy of information.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in other words, the minister is telling us that, when requests were made confidentially, this was of no importance. Now

that it has become public, it has become very important. Now we understand it better.

In future, does the minister commit, before gathering any information on any citizen, before using any information of any kind on any citizen, to obtain permission, as is done on our income tax returns, when we are asked for permission to use our names for the voters' list? Does she commit to asking permission before acting?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, without question, having good information is part and parcel of building good public policy. We believe that, the privacy commissioner believes that and I believe that Canadians believe it.

In the context of issues around visibility, we will continue to work with the privacy commissioner to determine the most appropriate way to ensure that Canadians are comfortable with the information they provide and the way it is used.

[Translation]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, the Minister of National Revenue and the government House leader gave section 241(3) as their excuse for being unable to share tax information about CINAR with the RCMP.

Now that we have learned about the direct link that existed between Revenue Canada and HRDC, how could the Minister of National Revenue and the government House leader stand up repeatedly in the House and make grand speeches about the confidentiality of tax files, when quite the opposite was true?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, I have said repeatedly in the House that one of the cornerstones of the Income Tax Act, one of the fundamental principles that the government will always defend, is the element of confidentiality.

I have also said repeatedly that when information was shared—specific information, not all the information on any one taxpayer—this was done in accordance with the Income Tax Act, section 241 in particular.

I would simply like to remind the opposition that the much-discussed press release that we tabled today quotes the privacy commissioner as saying that there was never any breach of confidentiality in the past.

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, while the RCMP was complaining that it could not pursue its investigation of CINAR because of the lack of co-operation from CCRA, it seems that, when it came to the average member of the public, information went directly from CCRA to HRDC.

Oral Questions

How can the minister defend the fact that information is available on individual citizens, while companies that commit fraud are apparently protected?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, the opposition question strikes me as rather odd right now.

On the one hand, there has been an exchange of information concerning the element of confidentiality when the Income Tax Act allows it, more specifically section 241.

• (1425)

I said that this government is going to protect the principle of confidentiality as long as the Liberal Party forms the government.

It strikes me as odd that, while my colleague is providing the public with excellent service and increasing confidentiality, the opposition wants us to share information and make it available publicly. There is no question of doing any such thing. We will protect the confidentiality of taxpayers for a good long while.

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. member for Winnipeg Centre.

* * *

[English]

CRIMINAL CODE

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, all Canadians were horrified when 26 miners were killed in the Westray mining disaster. They were even more horrified to learn that, in spite of overwhelming evidence of gross negligence, the crown prosecutors had to drop charges because under the Criminal Code of Canada they could not make those charges stick. The Westray officials got away with murder. In fact, they got away with 26 murders.

Will the Minister of Justice assure this House that within this parliament she will amend the Criminal Code of Canada to make it a criminal offence to kill workers on the job?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I think the hon. member is probably referring to recommendation 73 of the Westray inquiry. Let me reassure the hon. member that the Standing Committee on Justice and Human Rights is considering recommendation 73. I look forward to receiving its report.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the justice committee is not dealing with recommendation 73, nor is it dealing with Motion No. 79 which passed in this House. It has been three years since Justice Richard of the Westray inquiry made

recommendations to amend the criminal code so that senior management would be held personally accountable in cases of gross negligence causing death. In those three years this government has done absolutely nothing.

The justice committee is not seized of the issue. We doubt the justice committee will be dealing with the issue within this parliament, unless the Minister of Justice takes action.

Will the minister act within this session of this parliament to make recommendations to amend the criminal code along the line of recommendation 73?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, let me reassure the hon. member that the justice committee is charged with the obligation of reviewing recommendation 73. I look forward to its report.

As far as my department doing nothing, let me reassure the hon. member that federal, provincial and territorial officials and ministers have discussed this issue. We await the review of the Standing Committee on Justice and Human Rights. At that time, hopefully we will have heard from all relevant parties and, if necessary, we will move forward.

* * *

ORGANIZED CRIME

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, when the Liberal government disbanded the ports police in 1997 numerous organized crime investigations were abandoned and files destroyed. Former ports officials were investigating alleged connections between the Hell's Angels and ports authorities in Vancouver and Halifax. Now that evidence may be lost.

Shutting down these investigations is appalling and is reminiscent of operation sidewinder, another investigation which was shut down without explanation.

Will the minister tell Canadians why these active investigations were not forwarded to other police agencies? Why have these files gone missing or been destroyed?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as I have said many times in the House, the number one law enforcement priority of this government is to fight organized crime. In fact, that is why this government gave an extra \$59 million to the RCMP to be sure that we can fight organized crime.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I think the solicitor general is mixing up his lines. I thought public safety was his number one priority.

The minister's supposed commitment to public safety runs contrary to this government's disbanding of the ports police and the

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continued underfunding of law enforcement agencies in Canada. Despite the minister's hollow assurances, we know that our overworked RCMP and CSIS officers already compete for scarce resources and are now being tasked to take on illegal activities in Canada's six major ports.

Will the minister admit that during his government's seven years in office Canada's ports have become a welcome mat to organized crime? Would he tell us what he is going to do about it?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I can tell the member what we will not do. We will not run a deficit, as my hon. colleague's government did to make sure that there would be no funds to put anywhere.

Under the direction of the Prime Minister we were able to put \$810 million of new money into the solicitor general's department so that we could fight organized crime. If we were to believe my hon. colleague, there would be no funds left to do anything.

* * *

• (1430)

HUMAN RESOURCES DEVELOPMENT

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, the minister's department has said that the privacy commissioner will monitor the dismantling of its big brother database. This is an extremely important step given that the existence of such a database was kept secret from the privacy commissioner for years.

Canadians deserve to know what specific powers the privacy commissioner will be given to ensure that HRDC's newest action plan is really implemented.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, first let me clarify that the database was never kept secret. In fact it was part of the InfoSource information that was provided and available to all Canadians, and the privacy commissioner made a reference in that regard.

Let us also look at what he said, however, and I want to quote again:

I want to take particular note of the spirit in which our discussions have taken place and the clear demonstration of your determination to improve the supervision and management of your information systems in ways that strengthen the privacy rights of Canadians. I have no doubt that the public will welcome these measures.

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, nobody knew about it. In her news release the HRDC minister said that there would be a new structure for future social and labour market research. It will be modelled on the practices used at Statistics Canada and be based on input by officials from that department.

With its abysmal track record on data gathering, why does HRDC not simply get out of the market policy research business and leave it to the experts at Statistics Canada?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member is wrong again. I point to the words of the privacy commissioner who said that the database as it existed matched the laws of the land and that there had been no breaches of information.

In looking to the future we agreed with the privacy commissioner that the prudent thing to do would be to dismantle this file and implement a new regime that would allow us access to information in an appropriate fashion while respecting the paramountcy of the privacy of Canadians and their information.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the Minister of Human Resources Development recently said in this House that the RCMP and the Canadian Security Intelligence Service do not have direct access to her department's megafile.

Could the minister tell us whether or not the RCMP and CSIS have had access, directly or indirectly, to Human Resources Development Canada's megafile?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, we have had no requests from the RCMP or CSIS for access to this file. As I mentioned before, and the hon. member is right, they have had no direct access to this file.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, will the minister recognize that today's show looks more and more like what could be called a cover-up operation?

If it is not known, the principle of no evil seen, no evil done applies, and there is no problem. But as soon as it becomes public, the government opposite does its utmost to cover up its inaction and its management of the megafile.

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, again I point to the fact that the file as managed to date has been managed appropriately, that the privacy commissioner commended the department for ensuring that there were no breaches of information.

As is the interest of the privacy commissioner, we are looking to the future. We recognize the changing and rapid changes in technology. We appreciate the concerns that Canadians have about information and the chances that others have to receive it.

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From our point of view what we want to ensure is that we take the prudent road. That is why we have dismantled this program. That is why we have returned the files to the Canadian customs agency. That is why we will be—

The Speaker: The hon. member for Medicine Hat.

* * *

CANADA CUSTOMS AND REVENUE AGENCY

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, guess who is coming to dinner? It is the Canada Customs and Revenue Agency.

The CCRA wanted airlines to collect private information on their customers like their incomes and their travel agents. It even wanted to know what people were having for dinner. Thank goodness the privacy commissioner told the agency that it was out to lunch.

How can the customs and revenue department justify proposing a plan that is such an obvious invasion of privacy?

• (1435)

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, again the hon. member is wrong and I guess that the assertion in his question is part of his dream.

I thank the member for his question because I am pleased to report that the government has decided to move ahead with a huge modernization plan for Canada customs over the next five years.

We will invest something like \$100 million in order to make sure that our community will be safer and to facilitate travel for business across the border and in other countries. This will make it easier within the global marketplace. I am pleased to report that at the end of the process we will have a much better risk assessment and increased security for all Canadians.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, I am wondering why that does not give me any comfort at all. There is something inherently offensive about a government that wants to know what we had for dinner last night. That is what the government is up to.

It is simple common sense that sort of information should remain private. Why does it take an intervention from the privacy commissioner to shut down the government's attempt to spy on its own citizens?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, basically the

information with which we will be provided by the airline company is information that we are asking of the people when they show up at the border.

In conclusion, if the hon. member would have dinner more often with the Minister of National Revenue he would know that actually his question is premature.

* * *

[Translation]

PREVENTATIVE WITHDRAWAL

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, the unions consulted, certain senior officials of Health Canada and Human Resources Development Canada, and academics from Quebec and Canadian universities have signed a document calling upon all governments in Canada to follow Quebec's example and allow preventative withdrawal from work, with pay, for pregnant women.

Can the Minister of Labour explain to us why she is refusing to make such a provision part of her Bill C-12, thus going against a consensus that has come from a vast number of Quebecers and Canadians?

Hon. Claudette Bradshaw (Minister of Labour, Lib.): Mr. Speaker, this is available to pregnant and nursing women under section 132 of the Canada Labour Code part II. It was negotiated for seven years with employees and employers. The Bloc Québécois amendment concerning the definition of hazard is addressed by part III of the labour code, and this will be discussed by employees and employers.

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, it is clear that women's issues are of no interest to the federal government. It has abolished the Advisory Council on the Status of Women and now it is reducing funding to the women's program.

How can the minister responsible for the status of women defend her government when it has all the leeway it needs and yet refuses to raise the women's program from \$8.2 million to \$30 million, which represents barely more than \$2 per woman?

[English]

Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.): Mr. Speaker, I would like to inform the hon. member that there is no lessening in grants for women. In fact over the next three years there will be an additional \$10.5 million put into grants and contributions.

* * *

FOREIGN AFFAIRS

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Mr. Speaker, leaked documents show that the foreign affairs minister

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personally signed off on black market payments in Algeria. The minister renewed a so-called “unconventional lease” for the payment of 32,000 French francs per month for a Canadian staff quarters in Algeria.

The problem is that the currency in Algeria is dinar, not French francs, and it is illegal to pay rent in a foreign currency in Algeria. How is it that the Liberal government could possibly justify making these under the table payments in another country?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I would say that if the hon. member wants to provide me with information on which he bases what he alleges to be a question, I would be prepared to provide a response without any formal notice.

• (1440)

The reality is that Algeria, a very close partner of Canada, is also subject to a number of very serious security questions. As a result arrangements have to be made to protect our staff and to do so in a way that ensures their security.

I would like to urge the hon. member to present information before he makes the kind of scurrilous allegations he has just made.

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Mr. Speaker, I am surprised that the minister is not aware of what he personally signs off on. The minister personally signed off on a document from which I will quote that said “unconventional leasing agreements for staff accommodation in Algeria”.

In addition, a 1997 departmental memo explained that “the unconventional portion of the lease consists of a foreign currency payment of 32,000 French francs per month”.

Why does the Minister of Foreign Affairs sanction breaking the law in another country by personally approving black market—

Some hon. members: Oh, oh.

The Speaker: Order, please. I find the question out of order.

* * *

[Translation]

IMPORTATION OF PLUTONIUM

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, Russian MOX will soon be arriving by ship in Sept-Îles, Quebec, and will go from there to Chalk River, Ontario, by plane.

One hundred and sixty-one municipalities and MRCs in Quebec and the Montreal urban community commission on the environment are opposed to Canada’s importing plutonium.

How can the Minister of the Environment reasonably ignore the formal notice by elected officials in Quebec who reject Ottawa’s decision to import plutonium?

[English]

Mr. Brent St. Denis (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, any transport of any sample from Russia will be transported in accordance with Canadian law and international law. There is no danger to our citizens with this plan, and the hon. member should be aware of that.

* * *

INTERNATIONAL CO-OPERATION

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, my question is for the Minister for International Cooperation. War has many devastating impacts but perhaps the most tragic is the impact it has on the thousands of young boys and girls who live through conflicts.

This morning Canada announced a new partnership with an international organization to help protect war affected children. Could the minister tell the House what the plans are for the near future?

Hon. Maria Minna (Minister for International Cooperation, Lib.): Mr. Speaker, the Minister of Foreign Affairs and I are co-sponsoring an international conference on war affected children in the fall. UNICEF has agreed to cohost a meeting of world experts at the conference for us and that is what this morning’s announcement was about.

As hon. members know, children are affected by war in many different ways. In Sierra Leone and many other places of conflict there are child soldiers and young girls who are abducted and turned into sex slaves. There are also the children who are displaced or who end up being heads of households as a result of conflict, as we have seen in Rwanda. This conference intends to bring together world experts.

* * *

MINING

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, economic activity by the mining industry in Yukon has declined by nearly 70% over the last four years, down from \$316 million to only \$90 million a year. In contrast, Alaska right next door is booming.

Department of Indian Affairs and Northern Development mismanagement is largely to blame. On average it takes four years to get a mining project approved in Yukon, while in contrast it takes only three to six months in Manitoba. Why is the minister supervising the destruction of the mining industry in Yukon?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker,

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that is not true at all. With respect to the mining interests in Yukon, I have had the opportunity to meet with the affected parties. I answered this same question last week in the House. The hon. member should have read the response. We are working very closely with those internal lists, and the interests of first nations, parks and Canadians generally with respect to that.

• (1445)

As a Manitoban, I can tell hon. members that the Manitoba mining community is doing very well, even in my riding.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I want to quote from the Yukon Chamber of Mines:

—in the designation of Special Management Areas under land claims agreements, DIAND has created a legislative and regulatory quagmire for mining in particular, and business in general.

The collapse of the economic activity is a direct result of the interference and mismanagement of the government.

Is it this department's policy to drive out business and make Yukon totally dependent on government handouts?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, this is absolutely untrue.

The Speaker: I would ask members to please stay away from words that trigger responses. Stay away from the words true and untrue.

Mr. David Iftody: Mr. Speaker, I can give the House an assurance that the Department of Indian Affairs and Northern Development is representing the interests and fiduciary responsibilities of those first nations people in the Yukon and elsewhere in the north. We are taking them seriously.

We are also very aware of the mining interests in and around those areas. I have personally met with those representatives from the Yukon, heard their case and heard their argument. We want a negotiated settlement with all parties so that it will work well, not the confrontational style of the hon. member and his party.

* * *

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, my question is for the health minister.

The Walkerton tragedy should be a wake-up call for the government. On so many fronts, whether we are talking about environmental health, food security or drug safety, the government has taken a hands off attitude.

The precautionary principle is out the window. Scientific capacity has been gutted and industry, not the consumer, is the preferred client of the government.

When will the federal government acknowledge that deregulation at all levels in terms of food, water, drugs and blood is having catastrophic consequences for its citizens? When will it reconsider this dangerous, outdated policy?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I am glad the member has given me the opportunity to point out to the House and to Canadians that this government extends its deep sympathy to the families and the community of Walkerton which have suffered so grievously over the last 10 days.

Health Canada has been very happy to work with other governments in providing expertise and surveillance, as well as emergency access to an experimental drug to help some of the people who are particularly ill.

If the hon. member is looking for some place where deregulation has caused issues to arise, she ought to look not here but at the Government of Ontario. That is where the questions are being raised.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, all of us in the House extend our sympathy to the families involved in the Walkerton tragedy.

The lesson from that tragedy is in fact that when our safety systems are weakened then we all pay a price.

Back in 1997 this Minister of Health eliminated our drug research bureau and gutted our food research labs. He promised at that time to restore food research and to recommission some of those labs. To date none of that has happened.

Will the minister act immediately to strengthen food safety research in the health protection branch so that we have the scientific capacity to head off the kind of risk that resulted in the tragedy in Walkerton?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member should know that water safety and related issues are a provincial responsibility. If she has issues to take up with the level of regulation in Ontario, she should do that with the appropriate government.

I am surprised. The member is a hard working member of the health committee. She should know that from our estimates it is clear we are reinvesting some \$256 million in the health protection branch of Health Canada. That is in addition to the \$65 million last year for food safety at Health Canada. That is exactly the opposite direction that the Government of Ontario is going with its 30% tax cuts which are having a real affect on people.

Oral Questions

• (1450)

EMPLOYMENT INSURANCE

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, the proposed boundary changes to the EI system could impose tremendous hardship on our seasonal workers in New Brunswick.

Could the minister tell us how etched in stone these proposals are and what data her department used to establish these new boundaries?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, as the hon. member may or may not know, we are in a 30 day review period where all Canadians can respond to the gazetted proposals for the changes to the economic boundaries.

Local economists have worked with the communities and have used data on employment figures to build the modern boundaries. The hon. member certainly has every chance to make reference to and comments on the proposals over the next remaining days.

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I appreciate the minister's answer in terms of responsibilities of members of parliament. I will ensure that I do that.

I am hoping that she will bring in not only the employees but the employers as well from that region. It is a very important and big issue. Many of our workers are seasonal and older workers. The difficulty is that some of these people are going to fall between the cracks. I am not convinced that the minister's information on historical unemployment rates in that area are accurate. In fact some of the unemployment records go back as far as 1996 and range from 23% to 45%. I hope the minister takes this into account over the next number of weeks.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, again, that is why we have undertaken the process that I have identified. Proposals have been made, gazetted and the public has 30 days in which to comment; that includes employees, employers and members of parliament, anyone who has advice that should be taken into account by the employment insurance commission. It will take that advice before it makes its final recommendations.

* * *

NAFTA

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister for International Trade.

The number of lawsuits being initiated by corporations against Canada under the provisions of NAFTA appears to be on the rise. Could the parliamentary secretary tell us what efforts are being

made to amend chapter 11 of NAFTA to protect Canada against frivolous claims?

Mr. Bob Speller (Parliamentary Secretary to Minister for International Trade Lib.): Mr. Speaker, I want to assure the hon. member that Canada takes very seriously the concerns expressed on all sides of the issue about chapter 11. We have consulted widely with the provinces and stakeholders to make sure that the process is more open and fair.

We have met at the deputy minister level with the Mexicans and Americans, and continue to do so, to make sure that the investor-state mechanism reflects what the original parties to the agreement agreed on.

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INTERNATIONAL CO-OPERATION

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, the Minister of Finance and the Minister for International Cooperation recently attended a \$60 per person cultural event organized by the Federation of Associations of Canadian Tamils. I do not know exactly what the minister's thought they were co-operating with when they attended this event, but the FACT has long been identified by both CSIS and the U.S. state department as a front for the Tamil tigers.

This week the Tamil tigers in Canada will be celebrating, in their words, "the unceasing, unstoppable waves" of attacks on Sri Lanka. Will the Minister of Finance be attending this cultural event as well?

The Speaker: Order, please. I do not know that this deals with the administrative responsibility of the minister. If he wants to respond to it he may, if not, he will pass.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, a \$60 evening fundraiser at a major hotel is hardly a major fundraising event. This was a cultural event where a young Tamil Canadian teenager stood and talked about what this country meant to her. One of the things that she was saying is that we are a country of tolerance and understanding. We understand that when people from other parts of the world come here, become Canadian citizens and want to celebrate their cultural heritage, we will celebrate it with them.

* * *

• (1455)

*[Translation]***MOSEL VITELIC**

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, Montreal is competing with cities in Ireland and Germany for a new Mosel Vitelic plant.

*Oral Questions***HEALTH**

Investments of over \$3 billion and the creation of 1,500 direct jobs are involved.

As the decision is to be made within the next two weeks in Taiwan, could the Minister of Industry confirm for us that he is 100% behind the project and that he will soon announce his government's contribution?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I visited Mosel Vitelic and started things rolling for its establishment in Canada.

We certainly support such a significant investment and will now work with the group representing the Government of Quebec and the City of Montreal to obtain it. This is a very good thing for Canada, for Quebec and for Montreal.

* * *

[English]

CANADIAN BROADCASTING CORPORATION

Mr. Dennis Gruending (Saskatoon—Rosetown—Biggar, NDP): Mr. Speaker, today the CBC board announced that it will cut back on all local television newscasts and will lay off hundreds of people to boot. This means the death of local CBC news by stealth, by a thousand cuts and by clear political design. The president has admitted publicly that the CBC is not a priority for the government but it is a priority for millions of Canadians.

Will the Prime Minister finally commit to reinvesting adequate and long term money so that local television news can be protected and improved?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I said last week that we are giving a very substantial amount to the CBC. It has received almost \$1 billion from the government.

However, it is the responsibility of management and the board to decide how to allocate the money. It announced today that it has to make some changes to make the CBC more efficient. We have to respect the decision of the president of the corporation and the board.

Mr. Mark Muise (West Nova, PC): Mr. Speaker, can the Prime Minister tell us if today's announcement by the CBC regarding regional supertime news is an attempt to systematically dismantle regional news programming? Does he support this type of downscaling?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as I said, the situation a couple of weeks ago was to close down everywhere. The CBC has now come to the conclusion that it will keep them open. It will be in a different way but they will still be open. It is because of the intervention by members of parliament on this side that it has the confidence to do that.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, my question is for the Minister of Health.

This morning's national newspapers report that there is now clear proof that for decades the tobacco industry has been targeting children in the marketing and promotion of cigarettes.

What is the government's strategy to respond to the tobacco industry's relentless attack on our children and youth?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, little by little and month by month Canadians are coming to understand the agenda of the tobacco industry to get new customers by focusing on young people. The documents released today indicate that has been going on for some time; that it was a deliberate strategy.

It makes it all the clearer that we have to continue, as we have done, with a strategy against the tobacco industry and against smoking through higher taxes as soon as possible and as much as possible, anti-smoking messages especially for young people and changes in labelling so that we have the attitude that smoking is not cool, smoking kills.

* * *

INTERNATIONAL CO-OPERATION

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, all the blustering in the world by the finance minister will not change the fact that CSIS and the U.S. state department have identified the Federation of Associations of Canadian Tamils as associated with or a front for the Tamil tigers.

Instead of blustering, will the government promise a full investigation into the activities of the Federation of the Associations of Canadian Tamils? Will the government promise that not a cent more of taxpayer money will go into grants and contributions to that organization, not even for tickets for ministers to attend the so-called—

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. Minister for International Cooperation.

• (1500)

Hon. Maria Minna (Minister for International Cooperation, Lib.): Mr. Speaker, the premise of the member's question is an event that the Minister of Finance and I attended. The fact that he is equating the Tigers with the whole of the Tamil community including the young woman that was thrown—

Some hon. members: Oh, oh.

Tributes

Hon. Maria Minna: Yes, that is what he said. Mr. Speaker, it is pure racism.

We attended a cultural event with Canadian born citizens who were celebrating a cultural event. I resent the kind of connotation and the amalgamation the hon. member is putting together. The Tigers are not—

Some hon. members: Oh, oh.

The Speaker: The hon. member for Repentigny.

* * *

[*Translation*]

MICHEL DUMONT

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, for three years now, the Minister of Justice has had in her hands the file of Michel Dumont, a resident of my riding, who has been unjustly imprisoned.

Is the Minister of Justice aware of the distress such situations cause and is she prepared to make public her decision on Mr. Dumont's application for pardon before the summer recess?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the hon. member knows, I have worked with him on a number of different occasions in relation to this file. This file is progressing normally through our section 690 process. As soon as there is a final decision I will be in contact with the applicant as well as the hon. member if he so chooses.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to your attention the presence in our gallery of His Excellency Constantinos Stephanopoulos, President of the Hellenic Republic.

Some hon. members: Hear, hear.

* * *

[*Translation*]

THE LATE MAURICE RICHARD

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, on behalf of the Government of Canada and of all Canadians, I wish to extend my most sincere condolences to the family and friends of the great Maurice Richard.

I also want to pay tribute to this proud French Canadian who inspired generations to surpass themselves.

If it is true that some people are born to do a specific type of work, then Maurice Richard was born to play hockey. But talent alone would not have been enough to make him one of the best, if not the greatest hockey player in history.

• (1505)

He had to have more than talent. He had to have heart, pride, determination, courage and perseverance. These are all qualities displayed by Number 9 on each shift on the ice. These are also qualities that Maurice Richard, the man, displayed throughout his life.

[*English*]

I remember sitting with my friends around a makeshift radio in the college dormitory on Saturday nights and hearing the descriptions of Maurice Richard as he skated to the net, being pushed and shoved, being thrown on the ice, and he kept going. He got back up and gave it everything he had non-stop until the puck was behind the goalie.

No one ever wanted to win more than he did. That is what made him great. That is what all Canadians will always remember about him.

[*Translation*]

Maurice Richard was a fierce competitor, but he was also an unassuming man who did not like great honours and endless tributes.

This is why I will only add, to conclude, thank you, Maurice. We will never forget you.

[*English*]

Miss Deborah Grey (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I am always moved too when I see the amazing passion we Canadians share for the great game of hockey. I see it in the House of Commons today. Certainly we witnessed it across the country this weekend with the passing of Maurice Richard.

Canadians are reflecting upon and paying tribute to perhaps the greatest player that ever donned a Montreal Canadiens uniform, Maurice "The Rocket" Richard. There is no question that the Montreal Canadiens, the Habs, is one of the greatest hockey franchises Canada has ever produced. It is still the most championship winning team in any professional sport and as an avid Edmonton Oilers fan, that is tough for me to say.

When I think of a player who epitomizes that championship spirit more than anyone else, I think of Rocket Richard. I must admit that I can be passionate about very many things, especially hockey, but I have always felt that my French Canadian brothers and sisters can put me to shame with their passion, zest and enthusiasm for hockey and Maurice Richard.

Tributes

The Rocket was an unparalleled legend in playing the game he loved. His fiery eyes, his blazing speed, his stamina, his determination and that barely controlled temper just beneath the surface demonstrated that passion for the game he loved. “No, Rocket, you are not supposed to hit the linesmen”.

I do not think there will ever be another player just like him. He is a one of a kind legend, a unique hero. In 1944-45 he was the first player to score 50 goals in 50 games and it would be another 37 seasons before anyone would do it again.

I pay tribute to him today on behalf of all of my colleagues. I extend our sincere condolences to his entire family. I want to thank them for sharing him with all Canadians.

Hockey and politics are a lot alike. When we have given it our best shot, when we have scored our best goals, when we have taken our penalties, hopefully we can all do what the Rocket did. That would be to shake hands and say that hockey is a better game, or politics is a better occupation, or life is a better experience because we have all played well. We owe this to the name and the memory of Maurice Richard.

[*Translation*]

Thank you, Maurice. We will never forget you.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, on behalf of all my colleagues, I wish to offer my condolences to all of the family members of Maurice Richard, particularly his children, who had to share their father with all the people of Quebec, of Canada even.

Maurice Richard was not the fastest skater. He did not have the hardest shot. He was not the most elegant player or the best stickhandler. What he was, quite simply, was the best player.

• (1510)

His entire life, he worked at being the best. His only goal was winning. He concentrated all his energy, strength, skill and determination on winning. He taught his generation that it was possible to reach the top. He showed future generations that they had to set their sights high, to aim at perfection.

I saw Maurice Richard play at the Forum, and of course on television. Those are moments that will remain etched in my memory. When he skated full-out, we were there skating with him. When he flew down the ice with the puck, we were with him. When he scored, it was a goal for all of us.

He has left us the example of a simple and generous man who felt that success could be achieved only by doing one's utmost, by surpassing oneself. For that alone, thank you Maurice Richard.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, on behalf of my party and on my own behalf, I wish to offer my sincere

condolences to the family and friends of the honourable Maurice Richard.

Without diminishing Maurice Richard's stature in Quebec, he was a hero for all Canadians.

[*English*]

For example, to show his longtime adoration, admiration and even friendship for Maurice Richard, a constituent of mine who lives in Pense has a licence plate that simply reads “NHL-9”.

[*Translation*]

He was considered a second class player during the second world war, and sceptics were saying “Let's wait for our real stars to come back home”.

But during the next decade, not only did Richard break Nels Stewart's record, but he exceeded it by more than 200 goals. As others mentioned earlier, Richard was one of the greatest hockey players in history. His opponents always talked about his glare, especially from the blue line to the net. The Rocket always insisted on saying that he was just another hockey player.

[*English*]

After his father's death on Saturday night Maurice Richard Jr. said, “My father was a simple man”. That may be true, but for a generation of Canadian hockey fans, Maurice “The Rocket” Richard was simply marvellous.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, on behalf of the Right Hon. Joe Clark and all members of the Progressive Conservative Party, I would like to express our sadness over the passing of Maurice “The Rocket” Richard.

[*Translation*]

The Progressive Conservative Party wishes to offer its sincere condolences to the whole Richard family.

[*English*]

Born on August 4, 1921 and throughout his 78 glorious years, Maurice Richard was a symbol of excellence and a source of inspiration for many generations of Quebecois and Canadians. The Rocket will go down in history as more than a hockey legend. He was truly a great Canadian whose on ice skills inspired a generation of hockey fans.

Although he was not deemed the most physically gifted athlete, it was his will to win that set him apart from all others. His sheer force of will was something to behold.

Nicknamed “The Rocket” for his blazing speed and hard shot, Richard developed a reputation as an electrifying player from the blue line in. Wearing the number 9 jersey the Rocket dominated

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the NHL for 18 magnificent years as the centrepiece of professional sports' most successful franchise. His storied career stats combining regular season and playoff goals include 626 goals, 465 assists and 1,091 total points. He was also the first player, as mentioned, to score 50 goals in 50 games in the 1944-45 season, a feat not duplicated until the 1980s.

But it was his performance in clutch situations and his ability to respond in the big games that really distinguished him from those who have played the game of hockey. During his stellar career Richard led the Montreal Canadiens to eight Stanley Cups, including five in a row between 1956 and 1960.

After his career his popularity and legend grew. He continued to be one of the most recognized and beloved figures in Canada. As his health began to decline, the NHL recognized his contributions to the game by creating the Rocket Richard trophy given annually to the league's top scorer, a fitting tribute.

• (1515)

[Translation]

Maurice Richard died on Saturday, losing a ferocious battle against abdominal cancer. His body will lie in state at the Molson Centre on Tuesday, and a state funeral will be held on Wednesday at Notre-Dame Basilica.

[English]

There has been an outpouring of public sympathy and condolences from across the country for Maurice "The Rocket" Richard. He transcended the game. Canadians consider themselves honoured to lay claim to the man affectionately known as "The Rocket", a great hockey player, a great ambassador for the game and country. Canada and the Richard family have lost a true national treasure. Au revoir, Rocket.

The Speaker: I am going to permit myself a few words about Rocket Richard. I pass on this story to you.

Those of you in the House who are of my vintage might have been around at the time when at Christmas we would get a hockey sweater for whatever team. In my neighbourhood we were mostly French-speaking kids. Invariably we would get a hockey sweater. In those days, and I do not know if they did not have enough money or if they just made them like that, they never put numbers on the sweaters. There must have been four or five of us who received a Montreal Canadiens sweater. Our mothers all sewed on the number that we wanted. We all showed up with No. 9 on our backs.

If today one or all of you had come into the House of Commons with a Montreal Canadiens sweater with No. 9 on the back, I would not have said that you cannot use props. With that sweater, that number and the memory of Maurice Richard, it would have been parliamentary.

ROUTINE PROCEEDINGS

[English]

GRAIN TRANSPORTATION

Hon. David M. Collette (Minister of Transport, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I am pleased to table a copy of the draft bill, entitled an act to amend the Canada Transportation Act, which will put in place legislation for the grain transportation reforms that I announced with my colleagues the Minister of Agriculture and Agri-food and the minister responsible for the wheat board some weeks ago.

It would be my intention to formally introduce the bill in the House later this week.

* * *

[Translation]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to the standing orders, I have the honour to table, in both official languages, the government's response to three petitions.

* * *

[English]

INTERPARLIAMENTARY DELEGATIONS

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the sixth report of the Canadian-NATO Parliamentary Association which represented Canada at the annual meeting of the standing committee held in Brussels on April 8, 2000.

* * *

• (1520)

COMMITTEES OF THE HOUSE**INDUSTRY**

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Industry. The committee has considered the votes under industry in the main estimates for the fiscal year ending March 31, 2001, and reports the same.

JUSTICE AND HUMAN RIGHTS

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Justice and Human Rights.

Pursuant to its order of reference dated December 2, 1999, and provisions contained in article 233 of the Corrections and Conditional Release Act, a subcommittee of the Standing Committee on Justice and Human Rights was established to conduct a comprehensive review of the provisions and operation of the Corrections and Conditional Release Act.

[Translation]

In accordance with its mandate, the subcommittee held public hearings in Ottawa and in many other cities in Canada. It also visited all levels of correctional facilities in various locations in Canada and attended conditional release hearings.

In the course of these visits, in camera, it heard management teams, correctional officers, conditional release officers, members of program staff, members of the parole board, inmates, members of citizens' advisory committees and other witnesses.

The subcommittee presented to the standing committee the following report entitled "A Work in Progress: The Corrections and Conditional Release Act". The standing committee adopted the report.

[English]

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 32nd report of the Standing Committee on Procedure and House Affairs regarding its order of reference from the House of Commons of Tuesday, February 29, 2000.

In relation to the main estimates for the fiscal year ending March 31, 2001, and in regard to vote 20 under Privy Council, chief electoral officer, the committee reports the same, less the amount voted in interim supply.

* * *

PETITIONS

IMMIGRATION

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I present a petition signed by constituents who want the government to remove the \$500 charge for those who apply for permanent residency or refugee status in Canada.

CHARITABLE DONATIONS

Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance): Mr. Speaker, it is an honour to present petitions signed by over 25,000 Canadians who call on the government to pass legislation, such as my private member's Bill C-474, to ensure that registered charities, not for profit groups and federal political parties would receive the same tax credit on the first \$1,150, and that for any

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amount above \$1,150 the tax credit for charitable donations would revert to 29% of the donation, up to a maximum of a tax creditable donation of 50% of taxable income.

[Translation]

CANADA POST CORPORATION

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, it is my pleasure to table three separate petitions that all concern the same issue and are signed by 286 Quebecers.

The petitioners are quite simply calling for the abolition of section 13(5) of the Canada Post Corporation Act, which was voted on in the House and nearly passed in a vote of 114 to 110.

Taxpayers want rural letter carriers to be able to bargain collectively with the government.

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, I would like to table a petition signed by a number of Quebecers concerning the Canada Post Corporation Act.

The petitioners are calling upon parliament to revoke section 13(5) of that act, which denies rural route delivery persons the right to collective bargaining.

The Canadian Charter of Rights and Freedoms stipulates that freedom of association and the freedom to engage in collective bargaining are among every individual's fundamental freedoms. Denying that freedom constitutes a discriminatory practice toward rural workers.

Parliament must therefore revoke section 13(5) as promptly as possible, in order to comply with its own charter and to respect the right to unionize and to engage in collective bargaining.

• (1525)

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, like my two colleagues, I have a petition signed by the people of my riding calling for the revocation of section 13(5) of the Canada Post Corporation Act, which interferes with the fundamental right to association, the right to unionize. It is a denial of a basic right.

I am pleased to table this petition and to state that I support what the petitioners are demanding, 100%.

The Deputy Speaker: The hon. member for Berthier—Montcalm has a great deal of experience in this House. He is well aware that the standing orders do not allow comments about one's support or non-support of a petition. I am sure he will not make the same mistake again.

GASOLINE PRICING

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, I have the honour to table a petition on the price of gasoline. Many people

Point of Order

throughout Quebec and outside it as well are greatly concerned by the very rapid increase in the price of gasoline. In my region, over 3,500 people signed a petition, which I table in part today.

This petition asks the government to act quickly against this increase. It also asks the government to take steps to develop alternate sources of energy.

[English]

ADOPTION

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Mr. Speaker, I present several hundred names in support of a call by adoptive parents who face significant adoption related costs and out of pocket expenses applicable to adoption.

The petitioners request that parliament pass Bill C-289, which would recognize a deduction for the expenses related to the adoption of a child.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[Translation]

POINT OF ORDER

TABLING OF PETITIONS

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, I would like to draw the House's attention to something that concerns the tabling of petitions.

Very often individuals or lobby groups signing petitions forward them to us for tabling here in this House.

However, in today's context, with the development of new means of communication, petitions may come in different forms. This has happened with me.

One individual has presented an electronic petition, on CD-ROM, with over 17,000 names. Mr. Goyette, a resident of Montreal, in Quebec, collected, through electronic means, 17,000 signatures. That petition, like the one I tabled earlier, asks the

government to take action regarding the gasoline pricing issue. This type of petition does not quite comply with the current rules of the House, more specifically with Standing Order 36.

I am asking the Chair whether it would be possible to get a very broad interpretation of this provision of the standing orders or, if it is deemed more appropriate, to have the standing orders amended or updated so that in the future Canadians can use such means.

In some ways an electronic petition is better than a traditional one. It is much easier for the person who is collecting signatures to make sure that someone did not sign the petition more than once. By using an electronic address, it is possible to limit the number of signatures. In any case, an increasing number of people have an electronic address. We are likely to see others follow the example of Mr. Goyette who, to my knowledge, is the first one to submit a petition in this format.

There are also advantages in terms of the storing of archival information. This simple CD-ROM has 17,000 signatures but it could have 50 times more. Storage capability for petitions would be greatly enhanced.

Considering that people can now file their personal income tax return by using the Internet, it seems to me that the House of Commons should review its standing orders to make it possible to table petitions in that format.

I respectfully submit this issue to your attention and I am anxiously awaiting your ruling.

● (1530)

The Deputy Speaker: Do any other members wish to speak on this topic?

Some hon. members: No.

The Deputy Speaker: As the hon. member for Témiscamingue pointed out, the Standing Orders are fairly clear on this point. I refer to Standing Order 36(2)(f), which states:

36. (2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall: . . .

(f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and

Under these circumstances, it is difficult for the Chair to do other than insist that petitions be presented in the form required under the standing orders of the House of Commons.

However, if the hon. member himself, or through his colleagues who are members of the Standing Committee on Procedure and House Affairs, wishes to raise the matter with the committee, perhaps it can recommend changes to the standing orders which

can be passed by the House, thus helping the hon. member with the problem he has so ably described.

I urge the hon. member for Témiscamingue to find a way to raise this issue with the committee I have mentioned. I am sure that the committee chair, who is now in the House, has listened carefully to the point raised and to the Speaker's ruling under the circumstances.

Mr. Michel Bellehumeur: I rise on a point of order, Mr. Speaker. While we are waiting for the House of Commons to enter the new millennium with respect to electronic petitions, is there unanimous consent to allow the member for Témiscamingue to table this CD-ROM with 17,000 signatures on this issue, particularly since he had tabled a duly completed petition on the same issue before setting out to table the CD-ROM?

The Deputy Speaker: Is there unanimous consent to allow the hon. member to table this petition?

Some hon. members: Agreed.

Some hon. members: No.

[*English*]

The Deputy Speaker: I wish to inform the House that because of the ministerial statement Government Orders will be extended by 11 minutes.

GOVERNMENT ORDERS

[*English*]

CITIZENSHIP OF CANADA ACT

The House resumed consideration of the motion that Bill C-16, an act respecting Canadian citizenship, be read the third time and passed.

The Deputy Speaker: When the House broke for question period the hon. member for Calgary Centre had the floor. He has six minutes remaining in the time available to him for questions and comments.

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Mr. Speaker, before question period I was responding to a question which had to do with what it meant to me and others in my riding to be a Canadian and how Bill C-16 addresses that.

I can quickly say that the meaning of being a Canadian cannot be captured in a brief comment. For me it means that I have to respect

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the laws of the land. I have to participate as a citizen. There are a tremendous number of rights, but there are also a tremendous number of responsibilities which we have as citizens, to work to improve our country, to represent our country and to obey the laws of the land.

My concern about some aspects of this bill is that although it deals with citizenship, it appears to move us in the wrong direction. It does not make it clear, in my estimation and in that of many members of the committee, as to exactly who qualifies. That seems to be watered down and left to regulation and bureaucrats to determine.

• (1535)

The language requirement is not clear as to how proficient a new citizen needs to be in either or both of the official languages. It is very unclear. In fact, one could argue that a new citizen under this bill might not even need to understand much, if any, of either languages, because it allows for interpretation assistance, et cetera.

Under citizenship-type certifications and assessments with regard to family, it is unclear who qualifies under familial relationships, whereas it is clear in Canadian law. This bill moves in a different direction and leaves total discretion to the minister and her bureaucrats.

Then there is the very grievous concern about potentially revoking citizenship for those who have chosen to be Canadian citizens, leaving them to appeal. There is no real appeal process available through the bill for those who may have had their citizenship challenged. Of course, the citizenship judges have been gutted of any real responsibility and are really window dressing. We have again deferred to the bureaucracy to make assessments on people's lives, who they are, their nationality and their citizenship.

Yes, it means a lot to be a Canadian citizen. Unfortunately, this bill moves a lot of the significance, the administration and the firm statements as to how important it is out of law and into the hands of the whims of a bureaucracy and regulation.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, certainly defining who is a Canadian when we are so diverse as a people would be a very complicated task. But on the face of it, and allowing for the fact that just in the question and comment period the hon. member will not have a lot of time to think of his response to the question I am going to put, nevertheless, would he not feel, though, that the one thing that does unite us all as Canadians, no matter where we are from, whether we are new Canadians or Canadians here by birth, is a mutual respect for the principles of the charter of rights?

Mr. Eric Lowther: Mr. Speaker, I would say that is accurate. I think the hon. member has done some work in this regard and I

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think that is accurate. Where there might be need for a greater discussion is how those principles are applied and administrated in the land. However, in general I would say yes.

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, I will be sharing my time with the member for Mississauga West.

I am pleased and honoured today to speak to Bill C-16, an act respecting Canadian citizenship. There is a handful of members in the House who could probably share the same life experience as myself and the hon. member for Kitchener—Waterloo. This issue is very close to me and I would like to share my experience with my hon. colleagues and the nation.

As a young boy in Croatia I dreamed about Canada. I dreamed about a huge country. In 1968, in Vienna, when I applied and went through the process to come to this country, I was honoured and I was privileged. I was only 18 and a half years old at that time.

I chose this country. I came by myself, on my own. Three years later I applied for Canadian citizenship and I received Canadian citizenship two years after that.

• (1540)

In that citizenship courtroom in Waterloo, which was held in an old post office building on King Street, I still remember watching the faces of many people similar to myself, their special feelings and the smiles on their faces.

When I go to citizenship courts today as an elected member of parliament the judge usually asks me to make comments. When I make these comments I tell new Canadians that they are equal members of the greatest society, the Canadian family, and equal to anybody who was born here or those families who came 300 or 400 years before them. Just recently, I found out that I was wrong.

I do not know if I could go again to that same citizenship court and tell new Canadians that they are equal. According to Bill C-16, they are not, which is really sad. It is really sad that I am not as equal a member of Canadian society as my own children. Over five million Canadians are in the same position.

The Canadian government and the Canadian parliament promote equality, especially abroad. Under this legislation there is no equality. Under this legislation I am treated as a second class citizen. In no other department does the minister have the right and the power to overrule the Supreme Court of Canada, but this legislation would provide that power. That is wrong.

I know many new Canadians who probably did not tell the whole truth for many reasons. Perhaps they came from a country where their lives and their freedom was not protected by the laws of that country, so they used every means available to get out and become members of the greatest family.

Canada is a party to the international convention on civil and political rights adopted by the UN general assembly on December 16, 1966. This United Nations covenant says that a person who has lived in Canada for 20 years or more, whether or not he or she is a citizen of Canada, can consider Canada to be his or her own country. For the purposes of articles 12(4) and 13 of the covenant, such a person cannot be expelled from Canada. If the person leaves the country on vacation, he or she cannot be prevented from re-entering. It is clearly stated in these articles that even non-citizens under the UN convention have more rights than what is proposed in Bill C-16.

Let us say that a person, of whatever nationality, somewhere in Moscow, is stepping on the property of the Canadian embassy, and someone else is stepping on the property of the Canadian embassy in Beijing. Those two individuals are protected by the charter of rights. They are not even landed immigrants and they are not even citizens, but Canadian citizens under Bill C-16 are not equal members of Canadian society. That is wrong.

• (1545)

Can we imagine how many different nationalities there are in my riding of Cambridge? I could start with Croatians, Serbians, Portuguese, Indians, Punjabis, English, Irish, Scottish, Hungarians and Poles. All those people came to this country by choice but are not equal members of our society.

I was surprised on listening to the member from Winnipeg this morning to learn that he and the NDP caucus are fully supporting Bill C-16. Let me quote Alistair Stewart, an MP from Winnipeg, a CCF member, in debate on April 3, 1951. The debate was similar to this one today. He said:

The minister has the right to decide, and it is no reflection on the minister when I say that all of us who are elected members of parliament know what it is to be the victim of political pressure and political urges. While I am content to leave this right with the minister, I am not content to leave with him the right to have the last word. We suggest for the earnest consideration of the minister, partly as a safeguard for himself and partly as a safeguard for those who might be accused, that the individual should have a final right of appeal to the Supreme Court of Canada. . . That court is impartial. Let that court decide whether or not the individual should suffer the most grievous penalty of losing his citizenship. Were we to do that, then I think we would be restoring some of that equality for all which we desire. I hope that the minister will give this suggestion his most earnest consideration.

We are giving that same power to the political side to make that decision instead of to the supreme court in our judicial system which should be and is impartial. That is completely wrong.

It is not right for five million Canadians who by their own choice adopted Canada as their homeland. I am one of them and I am proud of Canadian society. I hope members of the House will realize how dangerous it is to leave that power in the hands of the politicians instead of our judges.

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• (1550)

I do not know what my feelings will be next time when I am called to participate in the citizenship courts. I should not say no but I cannot mislead or lie to people. I cannot go over there to congratulate those who just became second class citizens. I do not know how my colleagues will feel about that, but I feel disappointed and dishonoured as the member representing Cambridge riding. I hope my colleagues will do the right thing when we vote at third reading.

Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance): Mr. Speaker, first let me commend the hon. member on his speech. I also want to commend the hon. member for Kitchener—Waterloo on his commitment to honesty, transparency and to ensuring that we are treated as equal Canadians.

Today has been a very educational day for me. I did not realize that the legislation would create two classes of Canadians. I like my former colleagues who have spoken have chosen this country as my homeland. I have been here for 45 years. Little did I realize that all of a sudden we are at the brink of the possibility that I will no longer be a first class Canadian like the rest of my colleagues who were born and raised in this country. If what I hear is true then I believe the government needs to examine the legislation a lot closer and to ensure that Canadians across this great land are not divided, whether they were born here or immigrated here by choice.

My question is for my hon. colleague. If amendments are not made to the bill, does he anticipate any backlash to the legislation from Canadians?

Mr. Janko Perić: Mr. Speaker, the hon. member as well as other members in the House and I who chose Canada feel the same way as any of the five to six million Canadians. It is a sad day for us because we are not as equal as our own children.

We have to strive to improve that and to create legislation that will unite us as Canadians regardless of what seniority we have, whether it be five days or 500 years. If we want to create an even stronger and better society we have to be treated as equal members of our family.

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, I listened to the comments of my colleague. He expressed his sincere sentiments and I congratulate him for that. It is indeed a tribute to our democracy in the country, epitomized in the House of Commons.

He spoke about second class citizenship because of his feeling that there is not enough of a judicial role when citizenship may be revoked. Let me remind my colleague that citizenship at birth may not be revoked. Therefore we cannot compare citizenship by birth with citizenship acquired. By definition, what is given may be

taken when the basis for it being given is proven to be false, fraud or illegal under the laws of Canada.

• (1555)

The reason citizenship by birth may not be revoked is that he or she is not a citizen of any other country. The naturalized citizens of Canada who have been shown, on investigation or determination by the Federal Court of Canada on the recommendation of the minister, to have violated the very laws of our country may have their citizenship revoked because there was no basis to grant it to begin with. It was done under false representation and under fraud. We must not lose sight of the presumption and the basic tenet of revocation that is based on fraud and false representation.

One cannot say that it is second class only because the process starts with the recommendation of the minister. I am a naturalized citizen of Canada and I thank Canada for the benefits given to me personally and to my family. I have four sons with my wife and they are all Canadian citizens by birth.

I would like the hon. member to consider this and comment on the fact that there is a distinction between citizenship by birth and citizenship that is acquired. In terms of treatment by the court system, the leave to appeal should be available right up to the level of the Supreme Court of Canada. It is a question of trust and I will not belittle the noble calling of politics.

Mr. Janko Perić: Mr. Speaker, my hon. colleague is right when he says that we should have the right to appeal. I do not see that in Bill C-16. That is the problem with the bill. I would be the first one to deport those who obtain citizenship under false statements or by hiding some criminal history, but we should let the individual have the right to appeal the process directly to the supreme court. We should not leave that in the minister's hands.

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I congratulate the member for Winnipeg North—St. Paul for his intervention dealing with the issue of equality.

This should actually be a celebration. I am vice-chair of the committee and sat on the committee when we dealt with the controversial Bill C-63. A lot of people appeared and talked to us about their concerns. All issues were raised and put on the floor. Unfortunately the bill was ready to go as Bill C-63 when the House prorogued and it fell off the agenda. When the House came back the bill was brought back in as Bill C-16.

This should be a celebration of the fact that the committee had tremendous input and impact with the minister and the ministry to convince them that there are some things which should be done to increase the value of Canadian citizenship. Instead of celebrating we find ourselves embroiled in a debate over the issue of supposedly creating two classes of Canadian citizens.

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I absolutely respect the passion and the strongly held views of my colleagues, but the danger is that we are sending a message to the new Canadian community, to immigrants. When they stand in a citizenship court along with their families, let us say on Canada Day, not too far in the future, and receive their Canadian citizenship which they believe is of tremendous value, we are sending a message that somehow it is devalued compared to someone like me who was born in this country. It is not fair to send that kind of negative, frightening message to people who look forward to celebrating what is for many a rebirth.

• (1600)

I heard that earlier today statements were made in this place that people cannot know what this is about unless they are immigrants to this country. The implication is that those born in this country do not understand the value of Canadian citizenship.

In a former life I stood as a parliamentary delegate to monitor free elections in Croatia for the first time since the war. I saw people with tears in their eyes lining up on the streets to cast their ballots. I could feel their pain. I could feel their enthusiasm, their excitement. I could feel their fear that somehow by the time they got to the ballot box the right would be stripped away, that Tito would jump down from the picture over the ballot box or that the soldier with a gun would prevent them from casting that ballot. The right to vote is one of the benefits of citizenship. I saw firsthand how important it was to those people who had gone through war and terror and hate. I think I can understand that, even though I happen to have been lucky enough to have been born in Sault Ste. Marie, Ontario, Canada.

My wife is an immigrant who came to this country from England. It was not under duress, although she might say she was trying to get away from her parents. She came here to seek a better life. She came here as an 18 year old girl, wide eyed and excited about coming to this great country she had heard about. She became a Canadian citizen by choice. If anything, people who choose this country are more special.

If we want to talk about two classes of citizens, it is a little like the statement parents make to their adopted children when they find out that mom and dad are not their biological mom and dad. The statement is always "We chose you. You are very special". To new Canadians coming to this country, whether from wartorn societies or from places like the U.K., I say thank you for choosing Canada. It is what has built this country.

The bill says that those who come here under false pretences, those who lie, those who knowingly withhold information to whom we in Canada have given this citizenship right, our appreciation of its acceptance and the help to build our society, if we are deceived we must have a mechanism to take back what we consider to be a document and a place in the world of utmost importance and value. Is that a double standard? As my friend has mentioned, we cannot take away a right of birth. To compare the two is not fair.

There are some horrible people. Think about it. Paul Bernardo is still a Canadian citizen. Who would not want to strip that evil person, if we had the power to do so, of Canadian citizenship? But we cannot because he was born here. There are countless others such as Clifford Olson, and we could go on. There are countless people who are bad people and who remain Canadian citizens.

The only option we have is if someone arrives here who it turns out was a war criminal or had committed crimes against humanity. I can imagine the outcry of the Canadian public if the government were held powerless to revoke that person's citizenship, if the government had to rely on a judge to make the decision instead of the duly elected people who represent the people who bestowed Canadian citizenship on the individual in the first place. Canadians give citizenship. Canadians must have the ability, if they have been cheated, to revoke that citizenship.

• (1605)

The second thing that is unfair and which sends a frightening message to the immigrant community and to those applying for Canadian citizenship is the idea that there is no appeal. Let us be clear. The process has five different steps and provides at least three opportunities to ask the federal court to judicially review the decisions being taken during these steps.

I do not want to play semantics but a judicial review is different from an appeal. Here is how it works. The minister issues a letter because the minister has evidence and is satisfied with that evidence that the person has fraudulently obtained Canadian citizenship. The minister will serve notice on the individual. That individual then has an immediate right to ask the federal court trial division to appeal the minister's letter. That court will call witnesses. That court will listen to evidence. That court will not just look at whether or not the minister has erred in some legal way.

That is the difference. Judicial review tends to look at the process and the specifics of the process, whether or not there was an error in law, whereas one could argue that an appeal basically appeals a decision, making it wide open, introducing new evidence and everything else. Clearly when the federal court trial division holds a judicial review of the minister's letter and notice to the individual, it must and will call witnesses, look at all the evidence and attempt to decide whether or not the decision is a fair one.

This is very interesting because if the court decides that the letter should not have been sent and that there is no problem with the individual, in other words if it finds that the individual did not commit fraud, then the process is over. I hear members opposite and a few on this side saying that is not fair either and that the government should have the right to appeal. We want to walk both sides of the street on this deal. If the government continues to have the right to appeal, there could be a very strong case for harassment.

I just do not understand how one can argue on the one hand that one wants to protect humanitarian rights, and I will come to the

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humanitarian and compassionate issue, and then on the other hand that we should give the big bad government the right to appeal the decision of a judicial review by the federal court trial division that says there was no fraud. If that happens it is case over, door shut and that person stays as a citizen. It seems to me that is protecting the rights of that individual.

I find it more interesting to have the alliance reform party, or whatever it is called, in opposition to this for these stated reasons. Its members think the power belongs more appropriately in the hands of the judges and not the politicians. We all know that when one wants to denigrate a particular issue the best place to start is by denigrating those who are politicians. We are all a bad lot. We all make decisions with ulterior motives and we cannot be trusted. We hear that.

But I ask those members, what was the position of the opposition in this place when the supreme court in B.C. ruled in favour of that individual who was promoting child pornography? My goodness, how could a judge make such a decision? How could a judge make such a decision? What is their solution? Their solution is simply to invoke the notwithstanding clause, smack the judge over the hand and reverse the decision. By the way, none of us like that decision. In fact we decided to appeal that to the Supreme Court of Canada.

• (1610)

I did not realize I was out of time. I hope we can have further debate on this in a positive, substantive way which will allow for the positive benefits of Bill C-16 to be put forward to the Canadian people.

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, no one is asking for anything special. What is being asked for is the protection of the charter, for the right to defend one's citizenship. What is being asked for is the due process of law.

My friend may not like it but the due process of law is having the right to appeal a finding of fact to the supreme court. It happens in our courts each and every day. The problem with the bill is it denies Canadians by choice the charter. It denies them the due process of law.

We do not want political decisions on citizenship revocation. We want the courts to make those decisions because they are not a political body.

A week and a half ago the Prime Minister was visiting a neighbouring riding to my own. He said that the one key thing in the life of our nation is to make sure that the rights of the citizens are protected by the court in our land and not subject to the capricious elected. The Prime Minister had it right. The principle being referred to was holding the judges politically accountable.

When someone's rights are involved it should not be a popularity contest because justice is blind. That is how the law is applied. It is

not how powerful one is, how weak one is, but we try to treat everyone equally as much as possible.

Every legal group that came before us, including the B'nai Brith, including Mr. Narvey from the coalition of synagogues from Montreal, concerned about war crimes, crimes against humanity and the Holocaust, said that there should be a right to appeal. Is my friend saying to me that he is going to tell Canadians by choice that they do not have a right to appeal the judicial decision? That is exactly what he is saying. If he does not know the difference between judicial appeal and the review of that decision, then he has a problem.

There is a memo in my friend's office from Mr. Kenneth Narvey taking the six reasons that have been given by the government and debunking each one of them.

Surely to God the member does not want to deny the due process of law and the charter of rights protection to people who are citizens by choice. If he does, let me tell him I will debate with him in his riding.

Mr. Steve Mahoney: Mr. Speaker, that is the most disgusting threat I have ever received. If the member wants to come to my riding any time, any place, anywhere and debate me on anything, I would be delighted to have him do so. This should not be about personal attacks, that member trying to intimidate or threaten me.

I did receive Mr. Narvey's memo but I did not receive it from Mr. Narvey. I received it from the member for Kitchener—Waterloo telling me that I should simply agree with everything Mr. Narvey said. Well, I have read it and I do not agree with it.

Let me also say these are the facts. Does the member want to talk about appeal? Does he want to talk about protecting rights? Someone is over the top on this. The process has five different steps and provides at least three opportunities to ask the federal court to judicially review the decisions that are being taken during these steps. The decisions that come out of these judicial reviews can themselves be appealed to the federal court appeal division and to the Supreme Court of Canada with authorization, with leave. That represents a possible total of nine reviews and appeals to the courts, not including the initial judicial review by the federal court at the very beginning of the revocation process.

• (1615)

Some members are over the top because they are allowing emotion and irrationality to influence what they are doing on this bill. As I said before, this should be about celebrating not about personal attacks, threats or intimidation by any member on any side of the House against anyone.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, oh what an opportunity has been lost, because, as the member

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for Mississauga West has just said, here it is the year 2000, here we are debating a new citizenship act for the new millennium and here we are in a debate that has fallen into discord on some very fundamental issues. We have lost a golden opportunity and I really do feel sad about it.

My problem with the legislation has to do with the oath of citizenship. I would first like to comment very briefly on the issue raised by the member for Kitchener—Waterloo. After all the debate and the rhetoric are over, what we are really dealing with in this issue from the member for Kitchener—Waterloo is one set of due process for one group of Canadians and another set of due process for another group of Canadians.

I agree with the member for Kitchener—Waterloo that there is something fundamentally wrong with that, and it can be tested. As the member for Winnipeg North—St. Paul said, he justified the difference in due process to the fact that some Canadians are born here and their citizenship cannot be revoked because they have nowhere else to go to. He then made the assumption that new Canadians, who have come from other lands, can have their citizenship revoked because they can go back to their original land if it is found that they have entered Canada and sought citizenship under false pretences.

What I would point out to the member for Winnipeg North—St. Paul is that if people from India, where they cannot have dual nationality, come to Canada and take out citizenship in Canada, they lose their citizenship in India. What we are basically talking about here is that if citizenship is revoked from this category of new Canadian who is from India, then they cannot go back.

What I suggest is that Bill C-16 does not provide for that, and in fact should provide for that, but if it is going to provide for that it will have to create a new category of Canadians who will have to be treated under a different due process. That, fundamentally, is what is wrong with the legislation as it stands now with respect to setting up a different regime for revocation of citizenship, a different judicial regime than would exist for other Canadians faced with similar contraventions of the law. I think the member for Kitchener—Waterloo has a very important point.

My difficulty with the legislation though, Mr. Speaker, is different but very closely related. My problem with Bill C-16, the citizenship bill as it is presented, is that it proposes a new oath of citizenship that has never been debated in the House. It proposes a new oath of citizenship that I do not think reflects what it is to be Canadian, that does not reflect the principles of being Canadian.

It is a new oath of citizenship, Mr. Speaker, that has been created in the shadows of the government. It has been created by a bureaucrat or a bureaucracy somewhere. For that matter, Mr. Speaker, for all we know it may have been contracted out. We do not know the pedigree of the oath of citizenship that is now in Bill C-16. On something so absolutely, vitally important as the oath of

citizenship, we should know and we in the House should have participated. Unfortunately we did not.

The debate on the oath of citizenship has a real history that I have actually been involved in. When I came to parliament for the first time as a new MP in 1993, the very first committee that I served on was the citizenship and immigration committee in 1993 and 1994 in which we were analyzing what needed to be done to upgrade the citizenship legislation to make it current to the new millennium. Every witness who came before the committee as a new Canadian was asked to express what it meant to be a new Canadian. Of all the committees I have served on that was the most inspiring.

• (1620)

We heard from people from Croatia, like my friend from Cambridge. We heard from people from southeast Asia, the Caribbean and the United Kingdom. They all said essentially the same thing. They said that Canada was admired the world around, that it was a magnet for people all over the world because of its principles.

Canada is admired the world over because of the principles that are enshrined in the charter of rights, the rule of law, our adherence to democracy, our freedom of speech and our adherence to basic human rights. We heard this theme time and again.

When it came down to our report, the committee decided that there should be a declaration of citizenship. We thought it would be really wonderful to enshrine these principles that are basically expressed in the charter of rights in a declaration that would go in the preamble of the citizenship bill.

As far as the oath was concerned, and I should actually mention the oath, the committee unanimously agreed that the oath needed to be revisited. I want to read the oath that exists today and that will be amended in Bill C-16. The oath that was before our committee in 1993-94 simply said:

I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors, and I will faithfully observe the laws of Canada and fulfil my duties as a Canadian citizen.

I think just about every new Canadian who came before the committee said that oath was inadequate. They said that when they came before their citizenship hearings they were disappointed, not just because of the reference to a foreign monarch but because they felt the oath did not capture what it was to be Canadian.

The committee came out with its report called "Belonging Together". I stress that we heard from new Canadians and from people who were born in Canada. The recommendations of that report were, first, that a declaration of Canadian citizenship should express the vision Canadians share for their future and the importance they attach to their citizenship.

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Second, that the declaration should reflect the core values of our concept of citizenship.

Third, that the government should consider calling on the writers of Canada to contribute to the drafting of this declaration. We wanted the poets. We wanted everyone in the country involved in expressing what it was to be a Canadian in terms of a few lines that could capture that spirit.

The fourth recommendation was that the declaration should be drafted in a language that is noble, uplifting and inspires pride in being Canadian.

What happened? Five years later Bill C-63, now Bill C-16, was tabled in the House of Commons. I was here at my place when it was tabled. What we got was no declaration of what it is to be a citizen. There was no change in the preamble of Bill C-16. What we got instead was a warmed over oath of citizenship that bears no relation whatsoever to what new Canadians were telling us when they came before our committee. The amazing thing is that we did not even know where it came from. It suddenly appeared in the legislation without prior debate, without debate in the second citizenship committee. I will read it. It says:

From this day forward, I pledge my loyalty and allegiance to Canada and Her Majesty Queen Elizabeth the Second, Queen of Canada. I promise to respect our country's rights and freedoms, to uphold our democratic values, to faithfully observe our laws and fulfil my duties and obligations as a Canadian citizen.

Who wrote that? Who had the temerity to write those words without consulting Canadians? Who had the temerity to write those words without actually fielding them in parliament where we could debate them. What words are they, from the very beginning? The words are "I pledge my loyalty and allegiance to Canada". That is a redundancy. Loyalty and allegiance, in English anyway, mean the same thing. If we analyze the history of the oath we can see where that came from. It came from was the French version of the current oath which says "Je jure fidélité et sincère allégeance à Sa Majesté la reine". It is a direct English translation of the French version of the existing oath, and it is a bad translation. Any English or French teacher would reject it at the public school level.

• (1625)

It goes on to say "I promise to respect our country's rights and freedoms". We are bigger than that. It is not just our country's rights and freedoms. We as Canadians respect everybody's rights and freedoms. This is a fundamental difference and this is what makes us Canadian. This confines it selfishly to Canada alone, and that is unacceptable.

It then says "to uphold our democratic values". Democratic values are a matter of perception in terms of the country in which we happen to be living. People from East Germany will recall that the name for East Germany was the German Democratic Republic.

The full name for the Congo is the Democratic Republic of the Congo, where they are busily killing one another as fast as they can. Right now there is a little civil war going on in Fiji and the government is being held hostage. That is the Sovereign Democratic Republic of Fiji. And so it goes. The Democratic Republic of Korea is really North Korea.

In other words, we cannot simply pledge allegiance to the democratic values of the country to which we belong. We have to pledge allegiance to democratic values in the abstract because the danger is, as we experienced in Germany during the 1930s, which led to the second world war, that a dictatorship is very fond of perverting democratic values and becoming a dictatorship under the guise of democracy. No. If we are going to pay respect to democratic values it must be democratic values in the abstract.

The final words are "to faithfully observe our laws and fulfil my duties and obligations as a citizen". That applies to every country in the entire world. Of course a citizen is required to obey the traffic act, the criminal code or whatever. That does not make us different as Canadians.

When that oath appeared before the House of Commons, I and several of my colleagues reacted very negatively. We tried very rapidly to capture the essence of what we heard in that committee in 1993-94. What I proposed in the House at that time—and I seem to be about the only one debating the oath of citizenship—was that the oath of citizenship should be rewritten in a way that would capture the five principles of the charter of rights, which is what makes us unique as Canadians. Those five principles are equality of opportunity, freedom of speech, democracy, basic human rights and the rule of law.

The reason the member for Kitchener—Waterloo is agonizing over in his place is that he feels that the rule of law is not being respected because we have two different sets of due processes for two different sets of Canadians. I would suggest that the member for Kitchener—Waterloo probably has it correct; we cannot have two standards for Canadians. Canadians must always be treated the same way.

I just want to make a quick comment on those five principles. I have to say that when I proposed that in the House I did have some positive response but there was no opportunity to debate it other than me standing here and speaking for the length of time that I had.

However, what I will point out is obvious: Equality of opportunity is really what being Canadian is all about. We are all different in many ways. What is essential for every one of us individually is to have the chance to compete equally for the good things in life, so it is a matter of providing those equalities of opportunity. That is why we as Liberals believe in medicare. We believe that people cannot begin to compete unless they have equality in health.

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The second point is freedom of speech. Many of the new Canadians who came before us came from countries where there is no such thing as freedom of speech. The first thing that is done in a democracy that wants to be a dictatorship is to suppress the press. Even though it is sometimes very hard for us on the government side to bear the attacks that we see almost daily now in our national press, it is nevertheless part and parcel of democracy and it is absolutely vital. Freedom of speech is absolutely essential.

• (1630)

I have already commented on democracy.

Basic human rights are not just things we stand for as Canadians for ourselves; they are things which we stand for around the world. We are genuinely concerned about what happens in Sierra Leone. We were genuinely concerned about what happened in Bosnia and Rwanda. That is what being Canadian is all about.

Finally, there is the rule of law. It is not obeying the law that is so important; it is appreciating the law. One of the reasons we have such a strong democracy is that we have, sitting opposite of me, members of parliament who are separatists, who believe the country should be broken up. Yet I am proud of the fact that they see that outcome only by means of the rule of law. They are as good parliamentarians as I am on this side of the House. I am proud to be in the same Chamber with them, even though I reject their fundamental premise. The fact is, they believe that if it is to be achieved, it can only be achieved by due process, by the rule of law. I am proud to be in the Chamber with people who feel that way.

I proposed that oath. Not too surprisingly it was rejected by the House. One of the things that disappointed me was, when I proposed my version of the oath that contained these five principles, I asked that there be a free vote in the House, and there was not. I noticed that not just my side, but the NDP, the Conservatives and certainly the Bloc Quebecois voted as a group. There was obviously no attempt to consider the possibility of a made in Canada oath; an oath that, whatever its merits or demerits, at least expressed the principles of the charter of rights. If they did not like anything else, if they did not like the fact that it dropped the Queen, or if they did not like the reference to God, fine. But it captured what it is to be Canada in terms of the charter of rights, which is freedom of speech, democracy, rule of law, equality of opportunity and basic human rights. That is what it is to be Canadian. Any new Canadian who comes to this country knows that.

To say I am disappointed hardly captures it. I hate to use the word, but I think it was basic cowardice on the part of the government and even parliament to allow an oath of citizenship to go out that does not reflect the spirit of being Canadian, at least in terms of the House. It has not been debated in the House. We have an obligation. This House is the repository of everything that it

means to be Canadian. This is the focus. We should have debated that. To not have done so is reprehensible.

Like the member for Cambridge, what am I going to do when I go to my citizenship courts, when these stary eyed new Canadians come before the citizenship court commissioner now, instead of a judge, put their hand up and quote an oath of citizenship that the government and parliament never debated or never had the courage to even consider the content of?

In my view, this is the time when we need the Senate. I believe that the House of Commons failed in its duty when it allowed an oath of citizenship to go out that has no heritage, no patrimony, no connection to what it really means to be Canadian. It is simply an oath that was created somewhere behind the curtains. We do not know where. We are expecting newcomers to Canada to use that oath, not only to understand Canada better, but as a commitment to being part of Canada. That is unacceptable.

I propose that the Senate very carefully look at this legislation. If it cannot come up with an oath that captures the principles of being Canadian, then please reject the oath that is here. It is absolutely unacceptable to have a new oath, an elaborately revised oath, go before new Canadians when we ourselves have never been a part of its creation; when we parliamentarians, when we Canadians have never participated in the creation of that oath. It is now up to the Senate.

• (1635)

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, I would like to make some comments and congratulate the member for expressing with passion his belief on the legislation before us.

I have a copy of a press release from B'nai Brith Canada which says that if we adopt Motions Nos. 4 and 5 they "would make the bill more just". B'nai Brith Canada is very careful. It believes that there is justice in this bill and that if these motions were adopted the bill would be given additional strength. I congratulate B'nai Brith Canada for giving that kind of reasoned argument and leaving the vote on this issue to the honest belief of members of parliament. There is no threat whatsoever.

I call to the attention of the House another press release from a group headed by Mr. W. Halchuk, which states that Bill C-16 is discriminatory and is based on race. It further states that if support is given to Bill C-16 consequences will be suffered and losing our seats will be more expensive than "having your nomination papers not signed". Press releases like this from people proclaiming to champion Canadian citizenship and at the same time risking the freedom and liberty of democracy in debate could make us afraid to think. That is the very threat to Canadian citizenship.

I am an adopted citizen of Canada. I am a naturalized Canadian. My loyalty to Canada is undivided. But I believe that the proposed

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citizenship act, if passed, as the member for Mississauga West indicated earlier in this debate, would be a day to celebrate.

I cannot help but comment on this threat to members of parliament made by Mr. Halchuk. I would like members to listen to one more comment: "Citizenship is too important to be left up to the politicians". What does this individual think of politicians? Like it or not, the Government of Canada and the country itself will continue to be run by politicians and we had better believe in our profession, the noble calling of politics. Threats infuse fear and they have no role in the Chamber of democracy, the House of Commons.

The member for Kitchener—Waterloo said earlier that if there is a charter violation a cost must be paid if a provision of the charter of rights and freedoms is violated. This law already exists and is subject to review by the Supreme Court of Canada. We cannot take it away. No act of parliament can take away the right of the Supreme Court of Canada to hear argument on a violation of the charter of rights and freedoms. To inject fear that it may happen is just that. It is creating a slavery of fear.

It has been argued that there is no room for appeal. Subclause 18(4) at page 8 of the bill states:

On making an order under subsection (1), the Minister shall inform the person who is the subject of the order that the order has been made—

Mr. John Bryden: Mr. Speaker, I rise on a point of order. The member for Winnipeg North—St. Paul is addressing his comments entirely to the earlier speech given by the member for Kitchener—Waterloo. I spoke just prior, and if he has some constructive things to say about my speech, would he please do so.

The Deputy Speaker: The point of order is well taken. The hon. member for Winnipeg North—St. Paul is on questions and comments on the speech of the hon. member for Wentworth—Burlington. I know he will want to make his comments relevant to that speech.

Mr. Rey D. Pagtakhan: Mr. Speaker, because the member alluded to that issue as well, it is in order that I address that component of the debate. Since I have not finished my debate, he was premature in judging that I would not address the other component of his debate. Only time may limit me in addressing that issue, but I intend to do it.

• (1640)

Let me continue my speech, Mr. Speaker. Before I was interrupted—

The Deputy Speaker: I must remind the hon. member that he has gone on for almost five minutes of the ten minutes available for questions and comments and there may be other members who

want to ask a question or make a comment. I think he ought to terminate his remarks quite soon.

Mr. Rey D. Pagtakhan: With your indulgence, Mr. Speaker, I would like to make comments, which is part of our parliamentary procedure. In fact, I am not even compelled to ask a question. Be that as it may, I respect your advice, Mr. Speaker.

Subclause 18(4) states: "On making an order under subsection (1), the Minister shall inform the person who is the subject of the order that the order has been made"—and I would like to underscore this—"and advise them of their right to apply for judicial review under section 18.1 of the Federal Court Act".

The rule of law is fundamental, as the member from Wentworth has alluded to. That rule of law requires that no immigrant wanting to be a Canadian citizen may knowingly breach that rule of law.

There is a breach of the rule of law if there is false representation and there is fraud. That is the very essence of a breach of the rule of law, not to respect the law itself. The member from Wentworth said, yes, we must have not two standards but one standard for citizenship. I agree that the bill has only one standard. That is the standard for revocation of citizenship. Therefore, we cannot imagine another standard for Canadian citizens born in Canada because we do not create another standard for a situation where there will be no instance for revocation of citizenship, which is citizenship by birth. Therefore, to compare the two is definitely against logic.

To the point that the member from Wentworth alluded to about his proposed amendment to the oath, I support in principle his amendment that we are united as a people under the supremacy of God. That statement, may I remind the Chamber, is already in the statement preceding the Canadian Charter of Rights and Freedoms. I feel, while it may be reiterated in this instance, to me it is already in the highest fundamental law of the land. That is my position on that point.

On the position of taking away the allegiance to the Queen, in all sincerity, honesty and forthrightness, I believe in the heritage of Canada.

Mr. John Bryden: Mr. Speaker, there are two things. On the member's first point, it is still one set of rules for one set of Canadians and another set of rules for another set of Canadians. I do find that it does seem to contravene the whole basic principle of equality before the law and I have a lot of difficulty with that. When it boils down to that, then I think the member for Kitchener—Waterloo has a very important and compelling point, and I hope the Senate will look at that as well.

As to the other, I thank the member for Winnipeg North—St. Paul. I appreciate the support he has given for what I am trying to do with the oath. I will make the point that the Queen is not the real

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issue. The real issue is that the oath should actually capture for newcomers to this land what it is to be a Canadian and what are the basic principles of the charter. That is the more important thing.

Whether the Queen is in a new oath or not, I think in the long run it does not matter half as much—and I believe there should be a reference to God certainly—but more than anything else, we should enunciate for those newcomers to our land the basic principles of the charter. I will say them one more time because I really do believe they unite us, we Canadians, as a people. They are: equality of opportunity, freedom of speech, democracy, basic human rights and the rule of law. They are not just for we Canadians. We should be upholding those principles for the world. That is what it is to be Canadian.

• (1645)

Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance): Mr. Speaker, let me begin by saying that the member for Kitchener—Waterloo is certainly correct that this country cannot tolerate two classes of citizenship. He is correct to say that we all need to be equal.

It is astounding that I would sit here in the House today and listen to this debate as we begin a new millennium. The United Nations for years has indicated that Canada is the country to which others in the world want to come, to become Canadians and to live here in prosperity, in peace, in harmony and to be treated equally which they may not have had from where they came. To sit here today and listen to the debate among members of the government side has really opened my eyes.

As I indicated earlier, I immigrated to Canada from a wartorn country in 1955 when I was six years old. After living here for 45 years, to debate whether my status as a Canadian citizen is the same as that of my son or my wife who were born in this country is almost unbelievable.

Just this debate alone is grounds to do something about this bill, for the committee to look at it and to make the appropriate amendments. I do not think the country can tolerate the point that was raised by the member for Kitchener—Waterloo that in essence we will differ because of the due process that is to be followed by Canadians that are born in this country and Canadians by choice. If it differs, then we must do something about it. I believe it will certainly not unify the country.

We applaud and brag about this being a multicultural nation. There is no doubt in my mind that this is going to be a very divisive issue. As I say, I cannot believe I am sitting here today hearing this debate on citizenship and what the bill means to our citizenship.

I would like to quote from the Canadian Alliance policy on our respect for the equality of all citizens before and under the law. Policy number 61 states:

We affirm the equality of every individual before and under the law and the right of every individual to equal protection and equal benefit of the law without discrimination.

In other words, if we attain the status of a Canadian even if we were not born in this country, then we are treated like Canadians one hundred per cent. There are not two classes. We are all first class Canadians who all get the same rights. This is the debate that this occurring in the House today.

The legislation will repeal and replace the current Citizenship Act passed in 1977. Bill C-16 has been tabled with very few changes from previous Bill C-63. The legislation makes several changes to the current act with the intention of providing more clearly defined guidelines, updating sections, replacing current procedures, adding a new administrative structure and increasing the minister's power to deny citizenship.

Bill C-16 has been touted as the first major reform with respect to citizenship in more than 20 years and an attempt to modernize the act in order that it might better reflect the true value of Canadian citizenship. However, while some parts are more clearly defined than in the previous act, Bill C-16 does not constitute a major modern reform. As I said earlier, if it were a modern reform, we certainly would not be debating the status of citizenship as indicated in the bill. Critical areas have been neglected while others have been altered in a negative way.

The minister received recommendations of the government dominated Standing Committee on Citizenship and Immigration in 1994. Again I reiterate from former debate and as members of this House have indicated, the witnesses that came before the committee made many recommendations that were not taken up in the drafting of this bill. In fact the government has taken over five years to prepare this legislation which still does not address the committee's key recommendations.

• (1650)

On citizenship at birth, clause 4(1) of Bill C-16 states in effect that all children born in Canada, except children of foreign diplomats, will continue to automatically acquire Canadian citizenship regardless of their parents' immigration or citizenship status.

On that point, there are many countries which Canadians come from that have only one status. They do not have dual citizenship. On a personal note, I asked China whether it had dual citizenship and it does not. In other words, if I ended up getting booted out of this country, where would I go? Actually I do not know.

On the conditions for granting citizenship, the presence in Canada is covered in clause 6(1)(b). Bill C-16 defines the term permanent resident more concisely than does the current act. The existing legislation may be loosely interpreted. Some individuals have been found to be residing in Canada because they had a bank

account or owned property in the country without having actually resided on Canadian soil.

Further to that point, in the debate we heard about people who were unwanted, who perhaps had criminal records and came into Canada in a dishonest manner. I do not think anyone objects to getting rid of those people. That is not really the issue here. The question being debated is citizens, outstanding citizens, law-abiding citizens who have made a contribution to this country. Their rights need to be respected.

Bill C-16 calls for 1,095 days of physical presence in Canada in the six years preceding application for citizenship. Bill C-16 does not provide any mechanism for determining when applicants arrive in Canada and when they leave nor is it planned to develop one.

Penalties for bureaucratic delays are found in clause 6(1)(b)(i). The current act allows individuals whose claims for refugee status are approved to count each full day of residency in Canada from the date of application as a half day toward the total needed for their citizenship application. Bill C-16 removes this provision so that applicants will now be penalized for the system's bureaucratic delay even when delays are no fault of the applicant.

On the issue of adoption outside Canada, clause 8 of Bill C-16 will reduce the distinction between a foreign child adopted by a Canadian citizen and a child born in Canada. Currently a foreign child adopted by a Canadian citizen must first be admitted to Canada as a permanent resident before citizenship can be granted. It is currently ensured that the child is sponsored and undergoes medical, criminal and security checks. This bill will remove these requirements. The new legislation will make it easier for adopting parents to gain Canadian citizenship for the child if the adoption occurs outside Canada.

Bill C-16 stipulates in order to allow citizenship to be granted to the minor, the adoption must create a genuine parent-child relationship, be in the best interests of the child and cannot have been intended to circumvent Canadian immigration or citizenship law. Under clause 43(1) defining the terms of this relationship are left to the minister's discretion. The clause "in the best interests of the child" was added to Bill C-63 at the last minute, although it had not been recommended or requested by any witness and retained in Bill C-16.

On the issue of redefining the family, clause 43 of Bill C-16 grants the minister the power to specify who may make an application under the act on behalf of a minor and to define what constitutes a relationship of parent and child for the purposes of determining entitlement to citizenship under any provisions of the act.

• (1655)

On the issue of patronage, clauses 31 and 32 of Bill C-16 maintain the tradition of patronage appointments. All citizenship

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judges will be reclassified as citizenship commissioners, however, all but their ceremonial duties and other duties as requested will be taken over by departmental officials.

On the issue of language requirements to gain citizenship, clause 6 of Bill C-16 states that the applicant will have an adequate knowledge of one of the official languages of Canada. No provisions are included on how this is to be judged or by whom.

Clause 34 deals with the citizenship oath. There appears to be little public input on the content of the new oath in Bill C-16. The minister prepared the oath on her own. This could have provided an ideal opportunity for a nationwide patriotic debate. I agree with many of the members who have said that it is a very significant, historic family occasion when people make their oaths of allegiance to the country. This is probably the biggest thing that will happen in their lives outside of getting married and having a child. It is very, very important and Canadians need to have input.

The minister's first legislation should have been aimed at fixing a failed immigration system rather than citizenship, especially considering that the Citizenship Act refers to the Immigration Act in several places. More than five years after the Liberal controlled standing committee made its recommendations on citizenship, the minister re-tabled legislation which delivers little of what was recommended.

The legislation reconfirms that any child born in Canada, except to a diplomat, is automatically a Canadian citizen. This is contrary to what the standing committee, the CIC department, the official opposition and many Canadians support. The minister has shown arrogance and lack of respect for parliament by proposing that critical changes be made by her behind closed doors and by retaining patronage appointments even after job positions are eliminated.

Bringing this piece of legislation before the House at first reading when it had reached report stage in a previous session is an admission on the part of the government that Bill C-16 requires further examination. However, the minimal changes that have been made to the bill easily could have been made during report stage. The minister should focus on fixing our immigration system.

In conclusion, the debate I have heard today certainly tells me that a lot of work needs to be done on the bill. The big point which I need to re-emphasize, and the member for Kitchener—Waterloo made this a key point, is that this country cannot tolerate two classes of citizenship. We all want to be first class. There is only one status.

The Deputy Speaker: Order, please. It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon.

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member for Vancouver East, Health; the hon. member for New Brunswick Southwest, Health.

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, let me congratulate the member for Dauphin—Swan River on his speech. I can tell him that the legal issues we are dealing with are fairly difficult and it took a while to get through them. At some point when I saw the charts and was trying to put them all together I identified the lack of appeal process that is available everywhere else ends at the Supreme Court of Canada. We make that available to visitors who come to this country and commit a serious offence because we believe in due process.

The member and I have had some similar experiences coming from different countries. No one argues that if someone commits serious offences coming to this country, or is a war criminal, or has told major lies to get here, we recognize that people who apply for refugee status to get to Canada often have to do it by stealth. We recognized that when we had the policy of none is too many for Jews. People had to misinform to get into this country. We applaud that they got through and wish that more had.

• (1700)

It seems to me the member had it right. The charter of rights, the due process of law and the presumption of innocence should apply to everyone. What scares me in this whole process is that we can slander people by saying they are guilty of this or that and then fail to prove it in court. If someone is being accused, we have a due process for defending the accusation which should apply to everyone, certainly to citizens by choice.

Mr. Inky Mark: Madam Speaker, citizenship and other issues of the day need to be done right with absolutely no mistakes. If we look back to the bleak moments of Canadian history there have been times when we have done the wrong things. Certainly in terms of my own ethnic background, there was the Chinese Exclusion Act of 1923.

I will not say that we should compare this to it. That is not the point. The point is that we cannot make a mistake in terms of how we deal with Canadian immigrants from all over the world who come to this country. We have to do it correctly. People have to be treated on an equal footing. Long gone are the days when politicians can decide who they can discriminate or not discriminate against.

We have set ourselves up as a country to be the model for the world. Citizenship is one of the keys in becoming the model society for the world. If we are to do the talk then we need to do the walk. Doing the walk is making sure that this legislation is correctly done. We will all be happier for it as will the rest of the world. It will not only be people in this country because other people look to us for guidance.

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Madam Speaker, would the hon. member consider referring the matter to the Federal Court of Canada Trial Division for the ascertainment of allegations of fraud, false identity and illegality; notifying the person involved that the order is about to be made by the minister; inviting the person who is the subject of the potential order to make representations to the minister; and then, if the decision has been made, advising the person of his or her right to the judicial review, parts of the due process of law? That is my first question because they are very good safeguards for the due process of law.

The member alluded to his fear, a feeling of fear, and he has been here since the age of six. I imagine the member would say that he has been here more than five years. I would like to call to his attention that subclause 18(5) with respect to the annulment order on citizenship says:

The minister may not make an order under subsection (1) more than five years after the day on which the citizenship was granted, retained, renounced or resumed, as the case may be.

In other words, there is the safeguard of the limitation period so he has nothing to fear.

The last point is that since 1920 the current system has been in effect. Under the provision of that system citizenship is revocable by the governor in council, in effect by cabinet, on a report of the Minister of Citizenship and Immigration. Is the member aware of any one instance in the history of Canada since 1920 where we have somehow treated in so far as revocation of citizenship is concerned naturalized citizens as second class?

• (1705)

Mr. Inky Mark: Madam Speaker, if we go back through the history books we will not have a difficult time finding where many different ethnic backgrounds were discriminated against. Just because they were naturalized citizens does not mean they had full citizenship status.

We have the same question today on the whole issue of females when it is said that they are not full participating members of society. On the issue of law, I am not worried about myself. I am only saying that what is good for Canadian born citizens is just as good for adopted Canadians who came here and put in their time, whatever the number of years required to become a full status Canadian. They should be treated the same way. It should be no different.

Mr. Steve Mahoney: Even if it is fraud?

Mr. Inky Mark: If it is fraud, as I said earlier, then get rid of them. That is not the problem. The problem is the process. The process should be the same and equal for all of us.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Madam Speaker, I would like to say a few words.

The member who just spoke asked us if we could give one example of discrimination in Canadian history. I remind him of the situation in which Japanese Canadians found themselves during World War II. Without questioning the member's ethnic origin, I could tell him that the Chinese have also faced discrimination in this country.

I would like to point out that being born in Canada does not mean that one does not have to worry about democracy. For reasons that only they know, some people think they have a monopoly on truth. The Prime Minister is one of them.

As for democracy, we could relate that to Bill C-20. This is an example of what democracy can be in a country where it is never challenged, where it is taken for granted. That is the danger.

A member wants to change the oath of allegiance. One way or the other, it makes absolutely no difference to me. Members will notice that Quebecers are not taking part in this debate, and that is quite significant. I would like those who say these things to give us an answer.

[English]

Mr. Inky Mark: Madam Speaker, I thank the hon. member of the Bloc for raising an excellent point on the whole issue of the Japanese internment.

Another example of internment in this country was from 1914 to 1918 when over 5,000 Ukrainian Canadians were interned and over 80,000 were made to register with the government like common criminals. There are a lot of examples in our history that should teach us the lesson that if we are to pass legislation in this day we should do it the right way.

The Acting Speaker (Ms. Thibeault): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Ms. Thibeault): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Ms. Thibeault): All those in favour of the motion will please say yea.

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Some hon. members: Yea.

The Acting Speaker (Ms. Thibeault): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Ms. Thibeault): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Ms. Thibeault): Call in the members.

• (1710)

And the bells having rung:

The Acting Speaker (Ms. Thibeault): The vote is deferred to later this day at the end of Government Orders.

* * *

SPECIES AT RISK ACT

The House resumed from May 15 consideration of the motion that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be read the second time and referred to a committee.

Mr. Dennis Gruending (Saskatoon—Rosetown—Biggar, NDP): Madam Speaker, it is indeed a pleasure to speak today to Bill C-33, the species at risk act. It is always a pleasure to rise in the House, but I must say on this piece of legislation that my NDP colleagues and I are keenly disappointed for reasons which I will detail in a few minutes.

First, it is appropriate that we begin debate on this legislation soon after the list of species at risk of extinction in the country has grown to an all time high. Recently 14 new species were added to the list, which in Canada has been produced each spring for the past 23 years. The number of wild animals, plants, insects and marine organisms at risk of disappearing from Canada now stands at an all time high of 354. This is a stark reminder that our country's natural heritage is under threat. The rate at which species disappear from our planet speaks volumes to the overall health of our environment and ultimately our own human health.

The disappearance of these species serves as a warning sign, much like the canaries that used to be taken down mines shafts. It is a warning that something is happening to habitat. Often that something is directly related to the activities of our own species.

Worldwide we are experiencing the largest extinction epidemic since the time of the dinosaurs. Historically an average of about

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two to three species a year went extinct due to natural cause, but currently about two to three species go extinct every hour. This is alarming. Almost all of this is due to human causes.

Scientists believe we could lose 25% of the earth's species within the next 30 years if we stay on our present course. We in Canada have serious endangered species problems of our own and things are not getting better.

If I may detail these, 27 species have already gone extinct in Canada in the past 150 years. We now have a total of 354 species known to be at risk, and this list is growing every year. In fact 43 species have recently been added to the list.

I am talking about some of our best loved birds and animals such as the beluga whale, the woodland caribou, the burrowing owl and even the great grizzly bear. All these species could vanish from the wild in coming decades unless we take strong steps to protect them, and not only them but the places in which they live.

Legislation is long overdue. Canadians have been waiting for almost a decade for the federal government to come up with something meaningful to protect species from becoming extinct.

The Mulroney government, I must say, demonstrated political courage when at the earth summit in 1992 it committed Canada to the creation of laws aimed at protecting these vulnerable species. Canada was one of the first countries to sign the accord.

In that respect it is disappointing that after such a long wait Bill C-33 is the best the government can do. Nobody should be more disappointed than the hon. Minister of the Environment who has staked his political reputation on this legislation.

I mentioned that the NDP caucus is disappointed with Bill C-33 because the bill is fundamentally weak. This is in spite of the government's lofty claims of national protection and harsh penalties for those who would do harm to a plant, animal or fish that is in risk of being lost forever.

• (1715)

Canadians want and endangered species need a law that says it will protect species at risk, not a law that says it may protect those species. All the protection this bill claims to provide is left to the discretion of the minister. The only thing that the bill requires the government to do is to consult, although it does not require the minister to listen or to even follow up on those consultations.

Bill C-33 is riddled with political discretion, so much so that if passed without some substantial changes it will be the weakest bill of its kind in North America. I knew there would be a day when Mexico's environmental laws were just as strong as those in this country, I just did not expect it to happen so quickly.

Only a year ago a survey commissioned by the International Fund for Animal Welfare told of Canadians' desire to see strong laws passed by their federal government to protect species at risk of extinction. I will give a few of the numbers involved in that survey: 91% of Canadians believed that the federal government should protect endangered species on all land in Canada; 98% of Canadians surveyed recognized that the protection of habitat was an important element if we were going to protect species at risk; 80% of Canadians preferred to have federal laws that would protect the full habitat of an endangered species; 72% of Canadians believed it was up to the federal government to take a lead in protecting these endangered species; and finally, a full 97% of Canadians surveyed said that it was important that endangered species that migrate across borders were equally protected in all North American countries.

A vast majority also indicated that they were willing to accept at least some economic consequences in order to see endangered species protected. It is important to note that eight in ten Canadians advocated placing restrictions on industries that posed a threat to endangered species. These people were willing to accept some limitation of activities such as forestry, mining and even tourism.

The government clearly has a mandate from Canadians to bring in comprehensive and meaningful legislation to protect these vulnerable species. Instead, the minister has presented us with legislation that is both weak and discretionary.

I want to talk for a few minutes about listing. Today a species is considered endangered when the Committee on the Status of Endangered Wildlife in Canada, COSEWIC, the scientific body responsible for tracking species, decides to list the species as endangered. This committee has a mandate to make its decisions based on the best, up to date, scientific information available. However, if this bill becomes law, a species will be considered endangered only when the Minister of the Environment says it is.

In typical Liberal style, Bill C-33 formally establishes COSEWIC as the ultimate authority for determining which species are at risk of becoming extinct. At the same time, the bill prevents COSEWIC and its science based findings from having any bearing on which species are actually protected under the law. It determines which species are endangered but it is not allowed, under this legislation, to go ahead and protect those species, to list them.

In spite of the bill's fine words about community knowledge, best available information and its claim to protect our most vulnerable wildlife, everything, as we see, hinges on the opinion of the Minister of the Environment. The bill does not require the minister's opinion to be learned. It does not have to be based on science. It may be based on the list produced by COSEWIC or it may not.

As I mentioned, today there are over 350 species on the endangered list. The important question is: Will they be protected

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immediately upon the passage of this bill? Disturbingly, the answer is, no they will not.

The day this bill becomes law there will not be any endangered species in Canada, at least not officially. Not a single species at risk today will be protected under this law until the minister gets around to making his list. The existing list of species at risk, the result of a full 23 years of work by COSEWIC, is not grandfathered or automatically included in the legislation. I ask the question, when is an endangered species endangered, and it seems that the answer is, when the minister decides it is.

• (1720)

The single greatest threat to species is the loss of habitat, the places where they live, breed and feed. Habitat loss is responsible for 80% of species decline in Canada. Passing a law that does not protect habitat is really a waste of parliament's time. Again, Bill C-33 fails in this regard.

While other countries, including Mexico, have made the protection of critical habitat mandatory, Canada is proposing to make it discretionary. Once again a species will enjoy protection under the provisions of this law at the pleasure of the environment minister.

If a species is deemed worthy of protection there remains a period that can be as long as 30 months before the habitat is actually protected. Only the residents, the nest or the den is protected in the interim, and we feel that is not good enough.

All of what we are talking about occurs only on federal government lands. Provincial lands and privately owned property have not been factored into this formula.

As we discuss property issues, I want to say that I come from a riding that contains a mix of urban and rural people. I want to address the very real concerns that these people have about a law which if passed would affect them.

I want to make it clear that we in the NDP believe that people should and must be compensated if their lives are affected by a federal government plan to rescue an endangered species. Land-owners must be assured that they are not facing personal losses in order to protect habitat. If land is purchased it has to be with the consent of the owner and at fair market prices. Workers whose jobs are lost or whose paycheques shrink also have to be compensated. The same goes for communities. The last thing we want to see is compensation for big companies and nothing for the employees of those companies.

We understand that Canadians want to stop more of our wildlife from disappearing forever. We also understand that the cost of protecting those species must be shared by all of us, not just the people on whose land endangered species happen to live.

As we talk about property rights, I noticed in some of the speeches made by my colleagues in the Canadian Alliance that they seem to be telling farmers and ranchers that this bill threatens their very way of life. Some suggest that farmers might have their land seized by the federal government with no guarantee of compensation. Comments like that play on people's fears, and I want to assure the House that we in the NDP will oppose that kind of tactic, the use of half truths or scaremongering in an attempt to frighten and divide people. We want a reasoned and a factual debate.

The greatest disappointment I have with Bill C-33 is its failure to protect species at risk on lands where the federal government has a clear and an undisputed jurisdiction. This may come as a surprise to some people who have been listening to the news and to comments by the Minister of the Environment. The federal government is not even willing to protect species and habitats on all of its own land.

Organizations, such as the Canadian Pulp and Paper Association and the Mining Association of Canada, think that the federal government should be doing more to protect wildlife on the lands that it owns and oversees.

As well, Bill C-33 provides protection only on federal lands south of the 60th parallel. This means that the act gives federal habitat protection on only a small percentage really of Canada's lands.

The act also fails to offer protection for species or habitat which clearly fall under federal jurisdiction, and I am thinking now specifically of migratory birds, cross-border species and fish. Over 70% of Canada's species at risk migrate or range into the United States. Many of these species, because of Bill C-33, will lose the protection they enjoy in the United States simply by crossing the Canadian border. In fact, the White House and many senators have written to urge Canada to protect the habitat of these so-called shared species.

• (1725)

We might ask ourselves why there is this lack of protection. I would suggest that in large part it is due to the government's departmental turf wars. The department and the Minister of Canadian Heritage, for example, do not want officials from Environment Canada telling them how to protect endangered species in our parks. Officials at the Department of Fisheries and Oceans have no intention of letting officials from Environment Canada tell them how to protect fish habitat. The same goes for the Department of National Defence and the lands which it controls. This is a serious internal problem.

In political terms, the bottom line is that the Prime Minister is very determined to have a law on the books before the next election. The only way to make that happen is to come up with legislation that serves as a guide for the federal government whenever and if ever it feels obliged to protect a species from

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becoming extinct. It serves as a guide but there is no necessity written into the bill.

I want to talk for a few moments about the government's environmental record. I was rather startled to read a book review in the *Globe and Mail* last weekend by a writer named Andrew Nikiforuk. He was reviewing an important new book written by Maurice Strong, an environmentalist. The book described Canada environmentally as Mississippi north, a truly startling statement which bears only too much truth.

We have had tough talk about air pollution but we have yet to ratify the Kyoto protocol or to meet our emissions targets set years ago. We have talked about cleaning up the Great Lakes, which used to be the world's largest environmental initiative, but today it has fallen off the federal government's agenda. As we know, a key agreement with Ontario to work together to clean up the lakes was allowed to lapse earlier this year and has still not been renegotiated.

While the government talks about the value of community based knowledge and the important contributions Canadians can make on their own, it is leading the charge to muzzle the commission for environmental co-operation. That is the NAFTA watchdog whose job it is to help citizens blow the whistle on their own governments when they fail to enforce environmental protection laws.

I could go on but I will give one more example. Our national parks are in crisis due to years of financial cutbacks and a complete lack of direction from a government that likes to talk about environmental initiatives but too often falls short.

As I have mentioned, I and my colleagues in the NDP are disappointed by this bill. Because there was an earlier bill, Bill C-65, we thought the second run at this bill would be a vast improvement. However, it is turning out not to be the case. The mail and phone calls that have come into our offices indicate that Canadians and environmental organizations are also disappointed.

The bill is weak on the protection of species at risk and their habitats. It invites political consideration, political lobbying and ministerial discretion at every turn. It fails to include compensation provisions for workers and communities who are affected economically by action plans to rescue and recover species at risk. I know this is being looked at but it will only be looked at after this legislation is passed, if indeed it is passed.

I hope it is not passed. I urge my colleagues in the House to defeat the bill, send it back to the minister and tell him to propose a law that will really protect species at risk of becoming extinct, a law that will protect habitat from being destroyed, a law that does not mix science with politics and a law that will ensure a just and fair distribution of the costs involved with saving species at risk.

In final summary, Canada deserves and can certainly afford a better law than this to protect species at risk of becoming extinct.

Mr. John Herron (Fundy—Royal, PC): Madam Speaker, it will be my distinct pleasure to have the opportunity to speak to this bill in a few moments. I want to compliment my NDP colleague for recognizing, in terms of the scientific listing for species at risk legislation, that it should be a matter of science and not of political choice.

I would like the member to comment on why the government would not take the advice and the consensus that was built upon by industry groups, whether it be the Canadian Pulp and Paper Association, the Canadian Mining Association or the environmental groups.

• (1730)

Why does the member think the government missed that opportunity to build up the consensus when industry was willing to recognize that maintaining our biodiversity was one of science and not of political choice?

Mr. Dennis Gruending: Madam Speaker, I thank my colleague for his question. The short answer is that it bewilders me. I do not know why the government would choose a political route rather than a scientific route to describe and list species at risk.

As my colleague mentioned, private industry, which one might think would be opposed to listing species in any way which would interfere with business and ultimately profit, is telling the government to go further. I do not believe the pressure came from the private sector. I am only speculating, but I mentioned in the text of my remarks that I believe part of the problem is internal. There is pressure from various government departments that do not want somebody else telling them how to run what they consider to be their business, if I may put it that way. I would suggest that it is not just their business; it concerns all of us.

We really must act on this because time is running out. It is not only these species that are at risk. As these species disappear, we are learning some stark lessons about our own mortality on this planet.

To summarize for my hon. colleague, I do not know the answer to his question. I do know it is fundamentally important that these decisions be science based and not political in nature. The reason for having scientists make scientific decisions is clear. I fear the ability of lobbies to say that species are on land or water used by humans and, therefore, they should not be protected because it would interfere with us. I would not want to open the door to that kind of lobbying and I do not think we need a larger lobbying industry in Ottawa. Our species would suffer from that kind of development.

Mr. John Herron (Fundy—Royal, PC): Madam Speaker, it is my pleasure to have an opportunity to contribute to the debate on

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Bill C-33. I want to introduce an amendment to the bill a bit later, but at this time I would like to make some introductory remarks.

Perhaps no political party in the House of Commons knows more about species at risk legislation or endangered species legislation than the Progressive Conservative Party of Canada. Members may remember back in 1993 when the Progressive Conservative Party of Canada was reduced to just one breeding pair. We were able to develop our own type of recovery plan to encourage Canadians to invest in the environment stock we had elected in 1993. I am very pleased to say today that the Progressive Conservative Party of Canada still may be extirpated from certain regions temporarily, but we are looking to restore a habitat in other regions of the country. From that particular perspective, we have returned a very fine breeding stock to the House of Commons. A testament to that is the fact that Rosemary Kathleen Herron was born just six weeks ago. The Tory species is indeed growing in leaps and bounds as we head into the next election campaign.

Canada has 351 species that are recognized as endangered or at risk. There is no federal law to protect these species. The government's proposed species at risk act, known as SARA, is long overdue. It is a long overdue promise, but it is very disappointing. This legislation is even weaker and less effective than Bill C-65, the 1996 federal endangered species bill, which died before the 1997 election. This new bill is unacceptably ineffective in several key areas, particularly habitat protection.

The main threat facing endangered species is the destruction of their habitat, the places where species breed, where they feed and where they raise their young.

• (1735)

Habitat loss has been identified as the root cause for over 80% of species decline in Canada. Yet, in Bill C-33, saving species is discretionary, even in areas—and I will bet, Mr. Speaker, that you will find this quite shocking—under federal jurisdiction. The bill does not require protection of endangered species habitat. It merely says that cabinet may protect it. This is one of the key weaknesses of Bill C-33.

Perhaps the most evident of the weaknesses in this legislation is that the federal cabinet will decide which species to list as endangered and not the scientific committee known as COSEWIC, which is the Committee on the Status of Endangered Wildlife in Canada. The Progressive Conservative Party believes that the decision on whether a species is at risk is a matter of science; a scientific fact and not a political choice. Even an all party committee report, including Liberal government members and Reform members, agreed that scientific listing should be the most basic of guiding principles.

The government has argued that if COSEWIC's list is automatically adopted it would open up scientists to intense lobbying. This

point we know to be irrelevant, since nothing would preclude them from being lobbied under the proposed bill.

Building successful legislation requires input and support from the affected stakeholders. The Progressive Conservative plan calls for more carrots and less sticks. We believe that it is imperative to encourage, recognize and reward stewardship by offering more carrots, which in the end will result in fewer sticks.

A Progressive Conservative program would be incentive based and not punitive in nature. Merely making criminals out of Canada's best stewards of our lands, the Canadian farmers and our woodlot owners, would not precipitate the positive behaviour that we are looking to create. We believe this can be accomplished by listening to the concerns of stakeholders, working in co-operation with them to build a consensus on effective legislation, and, most importantly, engaging stakeholders in the recovery process.

The Progressive Conservative Party believes that without the support of the provinces, the nation's principal partners, private landowners, resource users and communities, the endangered species legislation will be impossible to institute and will lead to what is commonly known by the people who are following the legislation as a shoot, shovel and shut up mentality.

Members may be aware of a coalition of major environmental and industry groups known as the Species at Risk Working Group, which includes the Canadian Nature Federation, the Mining Association of Canada, the Canadian Pulp and Paper Association, the Canadian Wildlife Federation and the Sierra Club of Canada. They have all agreed on the need for strong legislation.

As Hugh Windsor pointed out in *The Globe and Mail* just a few weeks ago, following the failure of Bill C-65, these stakeholders joined forces two years ago in an attempt to build a common position for an outline of a new endangered species act.

The Progressive Conservative Party has always been a party that builds consensus by working with stakeholders, uniting Canadians and developing sound legislative policy. That is why we chose to support the work of this coalition.

It is also why our position paper, produced last December, two weeks before the government's, has been graded by members of this coalition to be an A, while the government's position paper was graded a mere D. We are working from a position where industry and environmental groups have argued that our position warrants an A, and the basis that formed this legislation is of only D quality.

These stakeholders agreed that, at a minimum, a bill designed to protect species at risk should require habitat protection in all areas of federal jurisdiction and a science based listing of endangered species. These are key components of our Progressive Conservative plan that are absent from the government's Bill C-33.

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One has to ask: With a joint industry-environment consensus handed to the government, how is it possible that it ignored this consensus, this work that was done on behalf of the Department of the Environment?

The simple answer, I am sad to say, is that the government is just not listening.

• (1740)

In response to the government's proposal, Pierre Gratton of the Mining Association of Canada said, "We certainly think it could be stronger". Robert Decarie of the Canadian Pulp and Paper Association said, "We think the federal government could have been much stronger, at least within its own clear jurisdictions".

I would like to take this opportunity to pay tribute to the solid corporate citizenry of the mining association and the pulp and paper association for their efforts in developing a broad Canadian consensus.

Over 70% of Canada's species at risk migrate or range into the United States. Even the White House and many senators have written to urge Canada to protect the habitat of these shared species. Imagine that. The Americans are now challenging Canada to protect the environment. How things have changed over seven years. Long gone are the days when Canada led environmental battles against the United States.

It was the Progressive Conservative government which took on the Americans and negotiated the country's acid rain protocol in 1987. Now we have the Americans lobbying Canadians to clean up our environmental act. It is important to note, however, that the United States has tough endangered species legislation, but we do not support their all stick and no carrot approach, and neither does the species at risk working group.

Most of the key improvements needed concern internal federal issues which would not be opposed by the provinces or industries. However, a lack of political will to listen continues to hamper any progress on building a better bill.

Provincial endangered species laws make habitat protection mandatory, and thus are stronger in this proposed species at risk act. The Progressive Conservative Party has always believed in co-operative federalism. The Progressive Conservative Party believes that a federal law should act as a safety net. This means that a federal act would only apply in provinces where no equivalent protection exists. This was made clear under the terms of the national accord for the protection of species at risk signed in 1996 by all governments. We maintain our commitment to this plan.

Equivalent legislation would be defined as including, at a minimum, scientific listing and the protection of critical habitat

through agreements, laws, permits and effective enforcement using the federal-provincial framework. In addition, other elements of equivalency would be established and negotiated on a species by species basis, utilizing the framework of the national accord for the protection of species at risk.

It is easy to prove that the government is clearly not committed to co-operative federalism. When I went to Calgary for the announcement of the government's position paper in December, I contacted the hon. Gary Mar, who is a very learned environment minister in this country. Government officials never took the courtesy to contact Minister Mar to let him know that the federal government was making the announcement on the position paper at the Calgary zoo. In fact, no members of parliament from Alberta took the courtesy to inform Minister Mar.

If the government wants to build co-operative federalism, if it wants to work with its provincial partners, it should have at least let the provincial ministers know when the position paper was coming out and given them a political heads up.

Overall the bill was a chance for the Liberal government to improve its poor environmental record. It was another chance for the Prime Minister to improve his poor, dismal environmental record. Perhaps the only thing more endangered than the 351 species at risk on the endangered species list is the government's environmental record. Bill C-33 indicates that the environment is still a low priority for the government. In fact, I might add that it is not even on the radar screen.

To illustrate, the Liberal Party has now been in government for seven years and has yet to pass one piece of environmental legislation of its own. Last year it pushed through amendments to the Canadian Environmental Protection Act, revisions that were also widely criticized for their key weaknesses. While the original CEPA introduced by the Progressive Conservative Party was a pioneering bill, the revised edition contained modest improvements.

• (1745)

This is a good example to show what a good environmental record is. It was our party when we were in government that negotiated an acid rain protocol with the Americans. It was our party that delivered the Canadian Environmental Protection Act. It was our party that led the world community in developing the Montreal protocol on ozone depleting gases. It was our party that actually helped to make our landfill sites even more environmentally friendly with the national packaging protocol. We worked with industry in a co-operative fashion. In contrast, in seven years the Liberal Party has had no bills of its own from the legislative framework.

While our environmental record is solid, this bill fails to even live up to the government's promise in the throne speech. It

promised legislation to ensure that species at risk and their critical natural habitat are protected.

What is the good news here? The good news is that the federal government is finally introducing long overdue endangered species legislation. The bad news is that the rest of the bill does not have very many positive things in terms of protecting species at risk, especially in relation to stewardship.

Bill C-33 attempts to recognize the need to encourage and reward stewardship. However the funding provided, about \$10 million to \$15 million a year, is only a fraction of what is needed to help recover existing species at risk, which is about \$50 million a year.

Again the tax and spend Liberals do not know what incentives are. Tax incentives could be brought forth which would actually help stewardship. They would help the stewards of our land, the farmers and woodlot owners, in terms of actually encouraging their positive behaviour through their own goodwill.

The Progressive Conservative Party believes that Bill C-33 should not be another Kyoto where the provinces are forced to implement a plan imposed on them by the federal government. The provinces should be provided with sufficient resources to address recovery plans and ensure effective enforcement. In order for this legislation to work, the federal government must work co-operatively with all stakeholders, the provinces, private landowners, industry and environmentalists alike, to ensure that no single party bears the burden of the recovery on its own when there is a clear shared reward for species recovery.

Finding endangered species on one's land should not mean that all development stops. The key is to manage the lands to ensure that the species can continue to survive.

In addition to those rare cases where protecting endangered species could impose costs on the landowner, the government should provide direct financial assistance.

I was talking with the hon. member for Lethbridge about this issue a while ago. One weakness is that the bill is too vague. It is not clear and it breeds more anxiety about the compensatory regime that is going to be required to reward positive stewardship to protect species at risk.

The Progressive Conservative Party believes that when designing the recovery plan with stakeholders, social and economic considerations must be accounted for and a balance can be achieved that both encourages stewardship and saves endangered species.

In addition, Bill C-33 does not use Canada's existing endangered species list as an initial list for this new act, even though the 1996

bill did. The government is going backward. A better approach would be to start with the existing COSEWIC list and then allow future changes if necessary, as was done in the 1996 bill.

I would like to take this opportunity to move an amendment. This is my rationale. When the bill was tabled in the House of Commons in April, the minister warned that if the committee made changes, the bill would meet a similar fate to the previous one which died on the order paper three years ago. It was reported in the *Montreal Gazette* on April 12 that the minister said, "If you destabilize this legislation, it is probably gone, just as the previous legislation was gone". With these threats, the minister is effectively telling the committee not to do its job. The minister is insulting the democratic process of the House.

I urge the government to take the bill back and listen to the stakeholders who have come up with a collaborative and workable compromise. I might add they are very close to reaching a very workable compromise. Listen to the Mining Association of Canada, the Canadian Nature Federation, the Canadian Pulp and Paper Association, the private woodlot owners, the farming community, the Sierra Club and ranchers alike. Canadians want a bill that works. This bill will not.

• (1750)

The bill can be saved with the necessary changes I outlined. If the committee will not be permitted to make changes, then I urge the government to make them. Therefore, I move:

That all the words after the word "That" be deleted and the following be substituted: "Bill C-33, An Act respecting the protection of wildlife species at risk in Canada, be not now read a second time but that it be read a second time this day six months hence".

There is overwhelming public support to have this legislation. In fact, poll upon poll states that Canadians want—

The Deputy Speaker: Order, please. I am afraid the hon. member having moved an amendment is now precluded from further speech. We will have to deal with the amendment he has proposed. Debate is on the amendment.

* * *

BUSINESS OF THE HOUSE

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Mr. Speaker, I rise on a point of order. Discussions have taken place between representatives of all the parties and you will find there is agreement pursuant to Standing Order 45(7) to further defer the recorded divisions on Bill C-16 scheduled for later this day until the end of Government Orders on Tuesday, May 30, 2000.

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The Deputy Speaker: Is there unanimous consent to proceed as proposed by the hon. chief government whip?

Some hon. members: Agreed.

* * *

[Translation]

SPECIES AT RISK ACT

The House resumed consideration of the motion that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be read the second time and referred to a committee; and of the amendment.

The Deputy Speaker: The hon. member for Davenport.

Mr. Yves Rochelleau: Mr. Speaker, I rise on a point of order. I was going to speak.

The Deputy Speaker: I have already recognized the member for Davenport. I believe it is usual for a government member to follow a Progressive Conservative member.

[English]

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, I will be splitting my time with the hon. member for Barrie—Simcoe—Bradford.

As we have already been told by speakers preceding me, Canadians are placing high expectations on the government to protect endangered species habitat. We must deliver. This bill if strengthened could provide a fine legacy if it were effective in preserving Canada's rich nature heritage. The survival and protection of endangered species is one way of turning words into action when we speak about leaving a legacy, about what we owe to future generations and the like.

We are facing an emergency as has already been indicated by the hon. member for Saskatoon—Rosetown—Biggar. I have been told that over the last year the list of endangered wildlife in Canada has grown from 340 to 353. I have been told also that a comprehensive and complete list would have to consist of thousands of species because many categories of Canada's wildlife have not yet been assessed.

• (1755)

Bill C-33, the species at risk act, is intended to put an end to the loss of our rich natural heritage. Can this bill reverse this trend?

According to scientists, the loss of habitat is responsible for over 80% of species decline. Therefore the only way to stop the tide of

extinction is to protect the habitat of endangered species. Canadians know this. In fact, there are many people already working to protect endangered species habitat through various conservation projects across the country. Moreover, 91% of Canadians recently asked said they believe a law to protect endangered species should ensure that habitat is protected. This level of support is consistent across the country among both rural and urban Canadians.

The government in recognition of the conservation efforts of individual Canadians, communities and organizations, will provide \$90 million over the next three years to fund conservation initiatives. This is a major step forward. The provisions in the bill aimed at offering a safety net should provinces fail to act are also encouraging.

Finally, the bill prescribes in detail what measures must be included in the recovery strategy in order to ensure that all threats to the survival of the species are addressed. However, because Canadians strongly support the role of scientists and because Canadians believe in legislation that will protect endangered species habitat, we must make sure that the bill reaches these objectives.

In my opinion, the bill in its current form falls short of reaching these objectives. Let me explain.

Members may recall that last year 640 prominent Canadian scientists signed a letter to the Prime Minister urging him to introduce an effective endangered species bill. First, they urged that the listing of endangered species be transparent, science based and free from political interference. Second, they urged that the critical wildlife habitat of endangered species be protected wherever it occurred. Unfortunately, these two elements are missing in the bill.

As Bill C-33 is now drafted, the onus is on the minister to convince cabinet of the desirability of establishing the list of wildlife species at risk. The minister must do so for species that have already been scientifically determined as endangered. This approach is not satisfactory as demonstrated by provincial data and experience. Only in Nova Scotia does the scientific list of species automatically receive official protection under its laws. Some argue that political responsibility is needed at the listing stage.

However, Bill C-33 already allows ample political discretion on how and whether to save an endangered species, from the establishment of a recovery strategy to action plans and through the issuance of agreements and permits. Still, should the government of the day decide not to save a species, there are provisions in the bill allowing the competent minister not to act. I am referring to clause 41(2).

Another problem pointed out by Canadian scientists relates to habitat protection. As currently proposed in the bill, prohibitions

against destroying the critical habitat of an endangered species will only apply where specified by the entire cabinet. I refer to clauses 59 and 61. Imagine the entire cabinet having to determine the extent of the critical habitat required, for instance by the maritime ringlet butterfly. The minister alone does not have the authority to pass regulations required to protect the critical habitat. Again they are left to the discretion of the entire cabinet.

Then we come to the recovery strategy. Under the bill three competent ministers are required to develop a recovery strategy for listed species, including action plans. However, the strategy on paper will not be adequate to protect the habitat of endangered species. When implementing a strategy, one of the three competent ministers may make regulations only with respect to one, aquatic species, two, species of birds protected by the Migratory Birds Convention Act, and three, species on federal lands. I refer to clause 53.

When it comes to critical habitat, regulations within federal jurisdiction will become the domain of the entire cabinet.

• (1800)

There are good reasons to fear that the minister responsible will be so busy pleading with cabinet for every measure he or she wishes to implement that serious delays in protecting the species will become inevitable, delays we cannot afford because without prompt action extinction will be the fate of endangered species. However a good bill will make sure habitat is protected before it is too late. Therefore I would like to make four suggestions in conclusion.

First, there should be one and only one final list of endangered species, the scientific list. Second, within federal jurisdiction critical habitat protection should be made mandatory, to which other speakers have already referred. Third, the minister responsible and only the minister responsible should be given power to pass regulations to protect critical habitat. Fourth, the federal government should promptly provide an adequate safety net in case a province fails to act.

As can be seen, without improvements this legislation will not stem the perpetual slide toward extinction of Canada's endangered species. If improved, this bill will offer great potential for thoughtful stewardship of our land and wildlife. It is my hope our legislative process in committee will be flexible enough so as to allow for necessary changes to strengthen the bill. It could become the cornerstone of the federal government's comprehensive approach for protecting endangered species in Canada on behalf of all Canadians and in conformity with our international commitments.

Ms. Louise Hardy (Yukon, NDP): Mr. Speaker, I agree with the hon. member's comment that there should be one list and it should be a scientific list.

I would like to give an example and get his comments on it. I just went with the Gwich'in, the first nation people of Yukon and Alaska, to Washington to lobby with them to get protection for the

calving grounds of the porcupine caribou herd. The people of Canada depend on that herd yet they calve on the Arctic coast in Alaska. Canada has protected its side but the U.S. has not.

We have a people who are working to protect the habit of the caribou herd on which historically for over 20,000 years they have depended. They have been lobbying for 20 years but year by year the oil drilling creeps closer and closer to the actual calving grounds of that herd. Without that habitat protection the herd will become extinct, and the Gwich'in people who have depended on that single herd for thousands of years will themselves become extinct. I would like the member to make some comments on that.

Hon. Charles Caccia: Mr. Speaker, the hon. member for Yukon has outlined the issue very well. There is not much I can add.

We are all familiar with the issue of the porcupine caribou herd which moves across the border between Canada and the United States into the north slope. That issue has been with us for several decades with changing portions, so to say. In part the future of that herd will depend on the determination of the two governments to control and possibly discourage the exploitation of petroleum and other sources of fossil fuels in the Arctic.

There was at a time of high oil prices tremendous pressure to develop the Arctic petroleum resources a way up north, even north of Tuktoyaktuk. At that time, I am referring to the early eighties, the Government of Canada made representations to Washington in order to protect the porcupine caribou herd.

It may well be that representations are again needed. I would encourage the hon. member to make her presentations on the occasion of the Parliamentary Arctic Council meeting which will take place next August in Rovaniemi, Finland. That is a very appropriate parliamentary forum in which representations of this kind can be made.

• (1805)

I am sure that the leader of the Canadian delegation, the member from Lachine, will be quite sensitive to the representations of the hon. member for Yukon.

Mr. Rob Anders (Calgary West, Canadian Alliance): Mr. Speaker, I wonder if the hon. member has heard of and supports a policy called shoot, shovel and shut up.

In the United States, as a result of its endangered species legislation, people are punished for somehow changing habitats. As a result many ranchers and farmers in the United States have gone on a process of what they call shoot, shovel and shut up. They get rid of the animals before the authorities can find out about them because there is no incentive structure whatsoever, just punish-

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ment. In other words, there are only sticks and no carrots for preserving these animals.

Does the hon. member intend to put forward a shoot, shovel and shut up policy in Canada and wind up with his incentives encouraging Canadian ranchers and farmers to get rid of the animals rather than providing incentives or carrots rather than sticks in terms of dealing with endangered species?

Hon. Charles Caccia: Mr. Speaker, if the hon. member for Calgary West had taken the trouble to read the legislation we are debating this afternoon, he would not have asked that silly question. That is certainly not the intent of the legislation at all. As he is raising this question I would have to urge him to read Bill C-33 before he starts spreading fears among his constituents that are totally unfounded.

The hon. member should know that the bill as presented refrains entirely from adopting the American model. Therefore the system of carrots and a carefully balanced legislation has been devised and developed by the Minister of the Environment. In addition the hon. member should know that an allocation of some \$90 million has been made to stewardship for the next three years, which will then be followed by an allocation of \$45 million every year in order to encourage stewardship initiatives.

To conclude, there is no intention whatsoever to adopt a shoot, shovel and shut up approach. That is the American approach. The Canadian approach will be very thoughtful and hopefully very effective.

Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.): Mr. Speaker, it is a pleasure to have the opportunity to be a member of the government that is introducing endangered species legislation in the House. It is a pleasure as well to debate the proposed legislation today.

In bringing in the legislation the government is responding to its own stated priorities as outlined in our red book and as included in the throne speech and in our international commitments. Likewise, we are aware that there is overwhelming support from Canadians from coast to coast for strong federal legislation to protect endangered species in our country.

In so doing they recognize perhaps that Canada has stood alone from its American and Mexican neighbours in not having this legislation. This is more than an exercise in comparative politics since 70% of Canada's species at risk are shared with those two countries.

In pressing the government for strong endangered species legislation, Canadians are reflecting their general concern for environmental issues and are demanding that governments at all levels respond to their concerns and make environmental priorities synonymous with government priorities.

Above all environmental concerns, Canadians place endangered species legislation as number one. More Canadians have written to us on this issue than on any other environmental issue combined. They demand a courageous and assertive response from us to protect species much threatened by the infringement of urbanization and expansive economic growth. While they recognize the need to balance the other dimensions which are inherent in well developed government action, they will not be satisfied with half measures and will be unrelenting in their judgment of what they perceive to be half measures.

• (1810)

Polls are indeed a helpful tool in asserting Canadian views and priorities, but nothing compares with spending the day listening to our constituents and having them tell us exactly what they are thinking. Friday of a week ago gave me just such an opportunity as most Fridays do. Not only did I escape the rarefied air of our fair capital, but I escaped as well the sometimes constrained atmosphere of my constituency office to meet with grade 5 students at Portage View Public School in the morning and with grade 8 students at Maple Grove Public School in the afternoon. Both schools are in Barrie.

We talked about our environment. We talked about SARA. More than all the details of protecting endangered species and their habitats that we discussed, what I heard most in their voices and saw most on their faces was the trust they had placed in me to look after their future, to guarantee that their future would be one where the wildlife and the biodiversity necessary to sustain that wildlife would be ensured by a government that had been true to its word, by a government that had taken all the necessary legislative steps to ensure that our precious species, nature's heritage to us, would not be driven to extinction but would be protected and thus thrive for future generations and future times. There is nothing like the faces of children to remind us what our real priorities are and of the commitments we are bound to fulfil.

We have before us an environmental bill that has much to commend it. Vital to this or any act that has as its purpose the protection of species at risk is the listing agency and the listing process. The Committee on the Status of Endangered Wildlife in Canada, known by its acronym COSEWIC, is a national scientific committee that has been operating for 20 years and has developed an international reputation as a credible, objective scientific body.

The new legislation will provide the legal basis for COSEWIC and it will continue to operate at arm's length from government. This is essential and it will allow us to continue what we have been doing right in Canada, which is executing an excellent listing process.

Just a few weeks ago COSEWIC increased the number of entries on its list of endangered species or species at risk of extinction from 340 to 353. There is no doubt that the long wait for legislation

at the provincial and federal levels has seen the situation become critical, which compels us to act promptly but with legislation that clearly meets the bar. The listing process will be key to that test.

The new act includes two other components among many which are worth our attention and approbation. The government strategy will emphasize stewardship and will provide compensation.

The stewardship program will include agreements among landowners, managers and governments in the implementation of species recovery plans. It will include private land acquisition programs to purchase land for species habitat and provide economic incentives for better land management. Our stewardship approach will help conserve wildlife species not at risk to prevent them from becoming so.

The proposed SARA provides compensation for individual landowners in the event that protection of a species critical habitat significantly restricts the use of one's land. Compensation differs from stewardship incentives since it would only be considered when stewardship and other safety measures have been insufficient to protect critical habitat and therefore where the critical habitat safety net is required. It is important to note that compensation should not exceed the value of incentives that were made available through stewardship programs.

• (1815)

There are many aspects to this bill that deserve our attention but it is not possible to discuss all of them today. As a newly returned member of the environment committee, I am anticipating the opportunity to do just that at committee hearings and to learn at that time the views and concerns of witnesses who will meet with us to discuss this vital piece of legislation.

It bears noting however at this opportunity for opening debate that many well informed and discerning groups have already studied the legislation at its draft stages and lent us the benefits of their experience and analysis. I make particular reference to the species at risk working group's paper that entails the composite wisdom of a somewhat disparate and eclectic alliance encompassing, as it does, members of the Canadian Nature Federation, the Canadian Pulp and Paper Association, the Mining Association, the National Agriculture Environment Committee, the Canadian Wildlife Federation and the Sierra Club of Canada. I am impressed when I see un mélange comme ça work together and develop common ground. It is I believe exactly the kind of commonality that will make or break the success of this bill. Unfortunately I have concerns when I read that they too have concerns that the bill does not go as far as they recommended, especially when I consider that they often proceeded from very different vantage points and still came to an agreement as to what this new legislation must incorporate to protect Canada's species at risk. Their contention appears to be that we might need to go further than what is currently under consideration.

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The working group strongly supports scientific listing of species at risk rather than the cabinet approval process outlined in the bill. It recommends that the existing COSEWIC list be recognized as the initial list of species at risk. The act recently passed by the Nova Scotia government includes both of those recommendations. The group is concerned that there is no proposed compensation for communities of workers who may be displaced as a result of actions to protect species at risk.

While I, like all of us engaged in the public policy making process, realize that the fruits of the consultative process cannot meet the criteria of each and every interested group or party, still one considers carefully the advice of such a group representing as it does both industry and environmental persons and interests.

Consequently, if I may return to the initial bar which I set for myself, to listen carefully to the next generation who have entrusted us to ensure the survival of their wildlife, I believe it is incumbent on us to listen carefully to all such thoughtful wisdom and, as the committee studying this proposed legislation, to ensure that we are accessible by what means are available to us to the people and places requisite to this very vital piece of legislation.

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, I have two questions for my hon. colleague. I was a bit concerned when she mentioned a couple of times the necessity to have a compensatory regime. One of the things bothering landowners, woodlot owners and farmers across the country is the government's commitment to developing a good stewardship, compensatory regime.

How does the hon. member square with what the minister said on September 23, 1999 as reported in the Vancouver *Sun*? The minister said "Responsible behaviour is something we expect, not something we need to buy". Could my colleague comment on that?

The other question I have is, why would she not support an amendment at the committee stage for a legal scientific listing as opposed to a discretionary regime left to cabinet?

• (1820)

Ms. Aileen Carroll: Mr. Speaker, with regard to the minister's statement in mid-1999, that he did not believe there needed to be a compulsory factor to legislation such as SARA, I made reference to an ongoing consultative process. For ministers who are new to their positions, as well as backbenchers who are part of the process, we sometimes begin from a certain vantage point and as we consult with Canadians and take into account what they say, we are open to maybe adjusting our original premises and do not want to appear rigid nor indeed to be rigid. If there has been movement on the part of the government, as represented by the Minister of the Environment, that shows a flexibility and not a retro approach.

With regard to the second question as to whether or not I was in favour of an amendment at committee, in all honesty, I do not

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believe I was a member of the committee when that amendment was put forward, but I am open to be corrected in that regard.

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, the member for Davenport also talked about the listing process and the fact that it should be a scientific process. I believe that is something we all agree with.

However, I do not quite understand what the member for Barrie—Simcoe—Bradford is proposing. Once the list is established, who then would be responsible for the funds that would be applied to a project to protect an endangered species? Is the member suggesting that the COSEWIC group be responsible for allocating dollars toward a specific project?

Ms. Aileen Carroll: Mr. Speaker, my statements with regard to listing pertain to the recommendations that were made by the species at risk working group. This group recommended that the listing process be under the control of the scientific community. Its suggestion was not that it be left to the political process.

I did not make reference within my opening remarks today to the funding or the appropriate resources and infrastructure that will be required to accomplish the protection of that species. I have no difficulty with our role as a government to be pivotal in that regard.

I believe that the recommendation that the listing be left to those who have studied and are learned in the process is where it should most likely be left. To put together the kind of program that is necessary once the scientific community has triggered the government is very much within the purview of government to make an assessment of how best to move forward and to do so within the costs that will entail. The listing itself is a different process.

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, it is my pleasure to rise today to speak to Bill C-33. It was an issue that was on the table during the last election campaign in 1997 and it has now finally been tabled. It is much needed and it is about time.

Listening to some of the earlier debate, it seems that most people are concerned with what is in the bill but for very different reasons. We in the Canadian Alliance are concerned with some of the things in the legislation, and I will try to outline some of those in my presentation.

After many years and almost as many cabinet ministers, it gives me great pleasure to finally be able to speak to legislation protecting species at risk in Canada. I want to stress how important wildlife and nature is to Canadians and the Canadian Alliance.

Canadians value nature for many different reasons. In the past many of our forefathers depended on nature for their very survival. Today we value wildlife for different reasons. Economic depen-

dence has been largely replaced by the view that wildlife should be treasured for its own inherent worth. The affluence of our society is reflected in the 1996 nature survey which found that Canadians and visitors to Canada spent \$11.7 billion on nature related pursuits in that year alone.

• (1825)

Wild species are an integral part of our heritage and our identity and attract tourists from around the globe. Indeed, we as humans are dependent on the diversity of species on earth for our own survival.

The Canadian Alliance recognizes this significance in its policy declaration, which states:

We are committed to protecting and preserving Canada's natural environment and endangered species, and to sustainable development of our abundant natural resources for the use of current and future generations. Therefore, we will strike a balance between environmental preservation and economic development.

It is that critical balance that is the only odd issue out in many of the debates from both sides of the House. It is how that balance will be created and how it will be implemented.

Unfortunately, in its last attempt to introduce endangered species legislation, the Liberal government failed to find this balance.

Private property rights were a major concern in the last bill, Bill C-65, which completely ignored the rights of landowners. It was a heavyhanded bill that relied on government regulation instead of co-operation with landowners to protect species. Due in part to the efforts of Reform MPs at the time, the bill never passed. This was the bill referred to earlier as being similar to the one developed in the United States which has not worked, uses a heavyhanded approach and does exactly the opposite for endangered species than what it should.

The Canadian Alliance recognizes that landowners are an integral part of the species at risk equation and, at its founding policy convention earlier this year, the Alliance recognized and affirmed the historic common law right to ownership and enjoyment of private property.

Since the 1997 election, Canadian Alliance MPs have been advocating the creation of responsible endangered species legislation that seeks out co-operation not confrontation, and compensation not confiscation in an effort to protect species at risk. Not surprisingly, the government did not share this view and it shows in this legislation.

The preamble of the bill begins innocently enough, recognizing the need for co-operation among various orders of government and encouraging the stewardship efforts of individual Canadians, but quickly becomes clear that it actually relies more on a heavy hand than on a helping hand.

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On the issue of private property rights and compensation, the true environmentalists and the true stewards in this country are the people who deal on a daily basis with the land: our ranchers, our farmers, our natural resource people, people who enjoy the outdoors and realize that nature is as beautiful and as fragile as it is. No one knows more about the fragile aspect of our environment than the people who are on the land every day.

When we look at compensation, considering that this is a key concern for landowners, it is disappointing that the government has only chosen to pay lip service to compensate landowners. In clause 64, it states that “the minister may”, not must, “pay compensation to any person for losses suffered as a result of any extraordinary impact that this legislation may create”.

We heard earlier from the member for Saskatoon—Rosetown—Biggar that he was concerned that our party was not dealing with the full facts when we talked to landowners and property owners. I would like to ask if it is possible for him to go forward and say to them that there is nothing in this legislation that they must fear and nothing in Bill C-33 that would affect their livelihood. We cannot do that because there are things in here that are of major concern to Canadians. We need to be diligent in dealing with them.

There are no details as to how this compensation will be paid out, only a nebulous reference to a provision which grants the governor in council authority to make the necessary regulations. That in itself leaves a lot of concern in the minds of Canadians. If there is going to be compensation, it should be defined exactly how that is going to take place. The government says that will be in the regulations but it is something that should be in this bill. If it was in the bill then we could have a look at it and look at it in a favourable way. If it is market value and if it will help people when their land is expropriated or taken away, that is something we could consider. The way the bill is structured now, we cannot support it.

The procedures to be followed when claiming compensation must be determined, the methods used to determine eligibility of a person for compensation and the terms and conditions for the payment all need to be mapped out. Again I say there is absolutely no reference to fair market value anywhere in the legislation.

• (1830)

The lack of compensation has been the single biggest barrier to the success of the endangered species act in the United States. The problem with the U.S. ESA boils down to the fact that it creates a perverse incentive for landowners to view species at risk on their properties as a liability. That is exactly what we have to avoid.

We cannot put legislation in place that will in any way be defined or looked at as causing an endangered species to be a liability. We have to structure it in a way that makes it exactly the opposite. If the U.S. Fish and Wildlife Service finds that there is an endangered species on one's land, one cannot in any way alter the land and

there is no compensation. It is not surprising to observe how landowners have responded.

What can Canada learn from the American experience with regard to compensation? Clearly fair and just compensation is essential to ensure the success of any legislation. Landowners must not see wildlife on their properties as a liability. It must be viewed as exactly the opposite.

Compensation will assist the government in securing the co-operation of landowners in fostering a climate of co-operation that will enable private associations to continue on in their work. Many organizations have been very successful in working with landowners to conserve natural habitats and depend upon the continuing good will of landowners to be successful.

I mentioned the Alberta Fish and Game Association and Operation Burrowing Owl. Last summer it was my pleasure to go up to Brooks on a tour with the member for Medicine Hat. The eastern irrigation district invited us to go. Tom Livingston, a member of the board, and some of his staff took us out and showed us the burrowing owl's tremendous wetland that has been developed all of their own will.

It was very impressive. The land is grazed. It has oil exploration and production on it. The land close by is actively farmed. All these things are going on at the same time that burrowing owls are flourishing in this area. They do it all because of their natural love of the land.

Mr. Livingston explained to me that even travelling across the prairies in a vehicle, just driving across the grass at 10 or 12 kilometres ruins one acre of grass. They are very careful about how they drive on it and how they use it. They manage it very well.

Ducks Unlimited is another organization with purchase and conservation agreements. Nature Conservancy of Canada does a lot of good work and needs to be encouraged in stewardship roles.

Compensation also forces the government to be accountable by taking into consideration the social and economic effects of its decisions. That aspect of it alone is very key. If we are to look at reclamation programs and the protection of habitat programs, we have to take into account the social and economic effects of any decisions to do that.

The concern over private property rights extends into other sections of the bill. When we look at property rights we must look at not only the possibility of losing one's land but at the possibility of people encroaching without just cause.

This comes up in the application for investigation. Although the government wisely removed the civil suit provisions contained in Bill C-65, it retains a section in this bill which would allow any person to initiate an investigation by the government. Any person

Supply

could go to the government and say he or she suspects something is happening and an investigation would have to be started by the government.

Clause 95 requires the minister to report back to the applicant every 90 days during the investigative period with details of the investigation. This provision is taken into account with clause 90 which gives enforcement officers the right to enter on and pass through or over private property without being liable for trespassing. Added to clause 34 which authorizes the federal government to extend its authorities over lands which are not federal lands in a province if the minister is of the opinion that the laws of the province are not strong enough to protect the species, a frightening scenario is created where the private landowner has very few resources at his or her disposal for protection against vexatious actions.

Those are some of the concerns we hear from landowners and people in the resource sector. When these concerns come forward they are legitimate. They have a legitimate concern that their lands are in jeopardy.

• (1835)

I want to talk about some of the things we would like to see proposed. The Canadian Alliance rejects the type of heavy handed approach in this bill. In the little time I have left today and in the debates that lie ahead of us I will outline how we will hold protected species at risk.

Like most Canadians we have always supported the development of endangered species legislation, but we know that in order for it to be successful it must respect the fundamental rights of property owners. We believe that co-operation and not confrontation will achieve the greatest results. We also believe that governments must be accountable for their actions. To this end we believe that the final listing decision should remain with parliament. It alone has a democratic mandate to balance the competing interests of economic and environmental needs.

That is the key. If we have a fully scientific body that does the listing, we must have the accountability of parliament to recognize that list and to enact any actions that are deemed necessary to protect endangered species. We cannot take parliamentary accountability out of the equation or it gets into a whole other area.

Another opportunity I had a little over a year ago was to tour the old growth forest on the west coast with some people who took us there for two or three days. We flew in helicopters and had a look at the logging practices going on there that are environmentally sensitive. We saw some of the changes that had been made and some of the practices to protect endangered species, to protect the land itself from erosion and to protect the watersheds. The industry is more aware of what needs to be done. It is working hard toward that.

We see new coalitions being developed with environmental groups, industry and land users coming together to try to find a solution to this problem. The legislation put forward by the government has to be such that it encourages that co-operation and that it brings these people together in a way that will truly help protect endangered species and our environment in a very substantial way.

If we include all the stakeholders in the process then we can come up with some meaningful legislation, not only in the endangered species area but in all environmental issues, to make the country sustainable in the long run and to preserve what we have for generations to come.

The Deputy Speaker: There are three minutes remaining in the day's proceedings. Does the hon. member for North York want to call it 6.41 p.m. and avoid cutting up her time? I would be happy to recognize the hon. member, but she will get only three minutes and then she will have another seven or seventeen, as the case may be, the next time the bill comes before the House.

Mrs. Karen Kraft Sloan: Mr. Speaker, as long as I can be assured of my opportunity to speak on this very important legislation, I would be happy to call it 6.41 p.m.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

The Deputy Speaker: The hon. member for York North will be the next speaker, assuming of course that she is here the next day the bill is called.

* * *

SUPPLY

DESIGNATED DAY—CANADA HEALTH ACT

The House resumed from May 18 consideration of the motion and of the amendment.

The Deputy Speaker: It being 6.41 p.m. the House will now proceed to the taking of the deferred recorded division on the amendment relating to the business of supply.

Call in the members.

• (1900)

And the bells having rung:

The Acting Speaker (Mr. McClelland): The first question is on the amendment.

● (1905)

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

(Division No. 1322)

YEAS

Members

Blaikie
Desjarlais
Earle
Gruending
Laliberte
Martin (Winnipeg Centre)
Nystrom
Riis
Wasylcyia-Leis—17

Davies
Dockrill
Godin (Acadie—Bathurst)
Hardy
Lill
McDonough
Proctor
Stoffer

NAYS

Members

Ablonczy
Anderson
Assadourian
Axworthy
Bachand (Saint-Jean)
Baker
Barnes
Bélanger
Bellemare
Bertrand
Bigras
Bonin
Bradshaw
Bryden
Byrne
Cadman
Cannis
Carroll
Catterall
Chamberlain
Chatters
Clouthier
Collenette
DeVillers
Dion
Dromisky
Duhamel
Easter
Elley
Finlay
Fontana
Fry
Galloway
Godfrey
Goodale
Grey (Edmonton North)
Guimond
Harvard
Hill (Prince George—Peace River)
Hubbard
Jackson
Jennings
Jordan
Keyes
Kilgour (Edmonton Southeast)
Kraft Sloan
Lebel
Leung
Longfield
MacAulay
Mahoney
Manley
Marleau
McCormick
McLellan (Edmonton West)
Ménard
Mills (Red Deer)
Mitchell
Myers
Normand
Pagtakhan
Patry

Anders
Assad
Augustine
Bachand (Richmond—Arthabaska)
Bailey
Bakopanos
Bélair
Bellehumeur
Bennett
Bevilacqua
Blondin-Andrew
Boudria
Brien
Bulte
Caccia
Calder
Caplan
Casson
Cauchon
Charbonneau
Chrétien (Frontenac—Mégantic)
Coderre
Cotler
Dhaliwal
Doyle
Drouin
Duncan
Eggleton
Epp
Folco
Forseth
Gagliano
Gauthier
Goldring
Gray (Windsor West)
Grose
Harb
Herron
Hilstrom
Ifody
Jaffer
Johnston
Karetak-Lindell
Kilger (Stormont—Dundas—Charlottenburgh)
Knutson
Lastewka
Lee
Limoges
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Maloney
Mark
Matthews
McGuire
McTeague
Mifflin
Minna
Muise
Nault
Obhrai
Paradis
Penson

Supply

Peterson
Pickard (Chatham—Kent Essex)
Proulx
Redman
Robillard
Rock
Scott (Fredericton)
Sgro
Solberg
St. Denis
Steckle
Stewart (Northumberland)
Telegdi
Thompson (New Brunswick Southwest)
Turp
White (North Vancouver)

Phinney
Pillitteri
Provenzano
Reed
Rocheleau
Saada
Sekora
Shepherd
Speller
St-Julien
Stewart (Brant)
Szabo
Thibeault
Torsney
Vanclief
Wood—156

PAIRED MEMBERS

Copps

Nunziata

The Acting Speaker (Mr. McClelland): I declare the amendment lost.

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. McClelland): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. McClelland): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. McClelland): In my opinion the nays have it.

And more than five members having risen:

● (1910)

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

(Division No. 1323)

YEAS

Members

Blaikie
Desjarlais
Earle
Gruending
Laliberte
Martin (Winnipeg Centre)
Nystrom
Riis
Wasylcyia-Leis—17

Davies
Dockrill
Godin (Acadie—Bathurst)
Hardy
Lill
McDonough
Proctor
Stoffer

NAYS

Members

Ablonczy
Anderson

Anders
Assad

Adjournment Debate

Assadourian	Augustine
Axworthy	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bailey
Baker	Bakopanos
Barnes	Bélaïr
Bélangier	Bellehumeur
Bellemare	Bennett
Bertrand	Bevilacqua
Bigras	Blondin-Andrew
Bonin	Boudria
Bradshaw	Brien
Bryden	Bulte
Byrne	Caccia
Cadman	Calder
Cannis	Caplan
Carroll	Casson
Catterall	Cauchon
Chamberlain	Charbonneau
Chatters	Chrétien (Frontenac—Mégantic)
Clouthier	Coderre
Collenette	Cotler
DeVillers	Dhaliwal
Dion	Doyle
Dromisky	Drouin
Duhamel	Duncan
Easter	Eggleton
Elley	Epp
Finlay	Folco
Fontana	Forseth
Fry	Gagliano
Galloway	Gauthier
Godfrey	Goldring
Goodale	Gray (Windsor West)
Grey (Edmonton North)	Grose
Guimond	Harb
Harvard	Herron
Hill (Prince George—Peace River)	Hilstrom
Hubbard	Iftody
Jackson	Jaffer
Jennings	Johnston
Jordan	Karetak-Lindell
Keyes	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Lastewka
Lebel	Lee
Leung	Limoges
Longfield	Lowther
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Mahoney	Maloney
Manley	Mark
Marleau	Matthews
McCormick	McGuire
McLellan (Edmonton West)	McTeague
Ménard	Mifflin
Mills (Red Deer)	Minna
Mitchell	Muise
Myers	Nault
Normand	Obhrai
Pagtakhan	Paradis
Patry	Penson
Peterson	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Proulx	Provenzano
Redman	Reed
Robillard	Rocheleau
Rock	Saada
Scott (Fredericton)	Sekora
Sgro	Shepherd
Solberg	Speller
St. Denis	St-Julien
Steckle	Stewart (Brant)
Stewart (Northumberland)	Szabo
Telegdi	Thibeault
Thompson (New Brunswick Southwest)	Torsney
Turp	Vanclief
White (North Vancouver)	Wood—156

PAIRED MEMBERS

Copps

Nunziata

The Acting Speaker (Mr. McClelland): I declare the motion lost.

ADJOURNMENT PROCEEDINGS

• (1915)

[*English*]

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

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, on May 16 when I rose in the House of Commons to ask the Minister of Health how many more lives would have to be lost because of drug overdoses before his government took action, the minister professed to be very concerned and he responded that he would address this “complex and tragic problem”. He said if I had specific suggestions he would be happy to receive them. Well, I do.

Indeed, I sent the Minister of Health a very detailed letter on April 13 outlining precisely what needs to be done to make our community safer. I have done a lot of research and spoken with many community members to determine what needs to be done to lower the crime rate and to help injection drug users regain their sense of dignity and health. I subsequently wrote the Minister of Health on May 19 and asked for a meeting to which I hope he will agree.

We need to know unequivocally if the Minister of Health is prepared to implement the array of recommendations put to him by numerous medical and scientific experts and reports to help this community come to grips with this devastating crisis.

While the drug resource centre is a very necessary step, it is simply not enough. If the minister is serious, as I am, in reducing the incredible harm to individuals and the community as a whole, then he must be willing to take comprehensive action that must include education, better treatment, expanded methadone, programs for drug maintenance, safe injection sites and housing and social supports.

I believe the minister knows the facts. I believe he knows in his heart what needs to be done medically in his department. The question is, does he have the political will to act on the irrefutable evidence he has? What is the minister’s response?

[*Translation*]

Mr. Yvon Charbonneau (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, I would like to respond to the

question the hon. member has asked concerning the serious situation in Vancouver's downtown east side.

I would like to remind the hon. member that the purpose of the Canada's Drug Strategy is to reduce the ill effects of alcohol and other drugs. In addition, the National HIV/AIDS Strategy and the hepatitis C disease prevention, community-based support and research program are working with injection drug users, and the organizations providing them with support, to prevent the transmission of blood-borne pathogens.

Federal-provincial-territorial committees representing the drug industry, the HIV/AIDS community, correctional services, justice, and public health have pinpointed injection drugs as a priority problem. These committees are working together to determine the best ways of addressing this situation in Canada in a co-ordinated and multi-jurisdictional manner.

[English]

Health Canada has contributed to the development of a resource centre for drug users in Vancouver's downtown east side and is participating in a partnership under the Vancouver agreement among all three levels of government.

• (1920)

Health Canada will also be providing support to the Downtown Eastside Women's Centre and to community activities with a particular emphasis on aboriginal women who are at risk of contracting HIV and those who have AIDS.

[Translation]

With respect to what has been done in Europe, I wish to assure the House that Health Canada is looking at the experiences of other countries in order to consider the possibility of applying their conclusions to the Canadian context.

In conclusion, Health Canada will continue to encourage, facilitate and increase public participation in a dialogue based on objective information concerning the best ways of addressing this health problem and serious social issue.

[English]

HEALTH

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I am on my feet again on the hepatitis C issue. It is an issue that simply will not go away. Obviously the reason it will not go away is because the government has failed to deal with it in a manner that would be acceptable to Canadian people.

What I am speaking of is the settlement with our hepatitis C victims. Not one nickel of compensation has been received by the victims. It is hard to believe. It has been going on two years since

Adjournment Debate

the settlement was reached and not one victim has received a nickel. The only people who have received compensation are the lawyers for the federal government. I know members find that hard to believe, but only the lawyers for the federal government have received payment. My question to the minister a number of weeks ago was why? Why can the government not resolve this issue?

One of the parallels I drew that day is that the province of Ontario has again compensated those victims left outside the package. The package the federal government announced leaves out the victims prior to 1986 and after 1991. The premier of Ontario, although he comes under criticism from the House from time to time, had the courage to stand up and say, "Listen, we are going to compensate those victims regardless of when they became infected. They deserve compensation".

The Liberal government opposite has not compensated one victim. The only people who have received compensation from the Liberal government are the lawyers representing the federal government in the suit.

We in the Progressive Conservative Party are asking the government to move on this issue and compensate the victims. Canadians want them to be compensated because they truly are victims. We want some action on the part of the federal government. The issue has dragged on now for a number of years. It has been two years since the compensation scheme was announced. People are still on the outside looking in. They need help. We want action. Will the government move on this issue?

[Translation]

Mr. Yvon Charbonneau (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, the government has committed approximately \$1.4 billion to compensate and assist those infected with hepatitis C through the blood supply system.

Of this amount, our government has already spent \$875 million in order to meet its financial obligations to victims under the 1986-1990 hepatitis C settlement agreement. Under this agreement, which was approved by the courts, we have probably succeeded in avoiding ten years of litigation. An independent administrator was appointed by the courts. A process for handling applications has been put in place and applicants' cheques should soon be issued.

In addition, in the case of those infected before 1986 and after 1990, the government has agreed to pay some \$525 million towards care, rather than in hard cash. For it is care that people are greatly in need of when they are sick.

We consulted people throughout Canada. We listened to what they had to say and we took action accordingly, putting \$50 million into hepatitis C research and the creation of community support

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programs. We have also set aside \$125 million for improved safety and monitoring of the blood supply system.

[English]

I would also like to add that an important component of our contribution is an agreement with the provinces and territories to pay half the costs, up to \$50 million, to identify and notify all individuals who have been infected with hepatitis C through the blood system so they can receive the care and treatment they need.

We have offered a \$300 million transfer to the provinces and territories. Our plan is sensible, it provides the care that people living with hepatitis C need and it is a compassionate plan.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.25 p.m.)

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