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Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, February 21, 2000

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1100)

[*English*]

INTERNATIONAL ORGANIZATIONS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.) moved:

That, in the opinion of this House, the government should convene a meeting of “like-minded” nations in order to develop a multilateral plan of action to reform international organizations (e.g. International Monetary Fund, World Bank, United Nations) so that they can identify the precursors of conflict and establish multilateral conflict-prevention initiatives.

• (1105)

He said: Mr. Speaker, I thank members from all political parties for showing support for the motion. It is a motion that will save many lives and, indeed, for Canada, it will demonstrate our extraordinary leadership on the world stage for the collective good.

With the unanimous consent of all members, I would like to change the wording of the motion in a way which I think the government and other political parties will find acceptable. I have only changed a couple of words. The motion would read:

That, in the opinion of this House, the government should continue to intensify efforts with ‘like-minded nations’ to further develop multilateral initiatives in order to strengthen the capacity of international organizations (e.g. International Monetary Fund, World Bank, United Nations) to enable them to identify the precursors of conflict and improve their conflict prevention capabilities.

I ask for unanimous consent that this be the motion that stands.

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

Some hon. members: Agreed.

An hon. member: No.

The Acting Speaker (Mr. McClelland): The debate is on the motion as it was originally presented to the House.

Mr. Keith Martin: Mr. Speaker, the motion will enable us as a country to deal with the horrible situation facing the world today. We have seen throughout the world tens of thousands of people who have been indiscriminately slaughtered in internecine conflicts.

We heard the refrain time and time again “Never Again”; never again would we see the slaughter that took place during World War II. After World War II the world got together and made a commitment to end the conflict that plagued it. In the case of Europe, we saw the decimation, destruction and genocide of over 6 million Jews, gypsies and other people who were unwanted by the Germans at that time.

After World War II, instead of the world breaking apart, it came together to develop the IMF, the World Bank and the United Nations. However, the outcome was two superpowers glaring at each other over a nuclear arsenal that was enough to destroy and decimate the world.

Since the breakdown of the Berlin Wall, we have seen a very different picture. After the cold war and the post-cold war era there has been a proliferation of internecine conflicts, conflicts within states. Rather than soldiers being killed, which is what took place during World War II and before, we now have situation where civilians are the ones being slaughtered. Over 90% of the casualties occurring today are innocent people like us and the viewers out there.

It is not a situation for the faint of heart. When I used to work in Africa, situations happened where children came up holding their bowels after they had been eviscerated. At the end of last year a friend of mine who worked in Uganda was confronted by a group of women who were walking along a roadway. Children, as part of the Lord’s Resistance Army, stood up, took the women to the side of the road, cut off their ears, their noses and their lips and forced the women to eat the parts. This is the brutality that children were inflicting on adults.

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Those same children were abducted by other adults in northern Uganda. However, before they were abducted they were forced to kill one of their parents. This is the kind of trauma that is occurring there.

We see circumstances in west Africa where individuals have their hands and legs chopped off. It is not to kill them but to terrorize them. In Central Africa right now we have the largest war in the history of the world with unspeakable brutality taking place. Widespread torture of unimaginable proportions is taking place against innocent civilians. The international community has been unable and unwilling to deal with these situations in a preventive manner.

• (1110)

Today I will articulate a way of dealing with conflict and of preventing it.

Too often in our foreign policy today we confuse conflict prevention with conflict management. When we talk about conflict prevention we often talk about peacekeeping and peacemaking, which is often too late because once blood has been spilled and people have been killed the seeds for future ethnic discontent and war have been sown for generations to come.

Trauma has been inflicted upon children and lost generations occur. We see that in many countries of the world, from Caucasus in Europe, to Bosnia, to west Africa, to Central Africa, to South Africa and to South America, to name just a few. Whole generations are lost. Economies are laid to waste. The degree of trauma to a nation is extraordinary, not only to the people but to the costs that are inflicted.

In the case of Mozambique, in its 16-year civil war 400,000 people were slaughtered, 400,000 children lost their lives, 200,000 children were orphaned and the gross domestic product fell to 20% of its pre-war situation. We had a country laid to waste. This is what is happening throughout the world.

Why should we as Canadians be involved or interested? We should be involved not only on a humanitarian basis but in cold hard dollars and cents. If we do not get involved and prevent these conflicts then we pay for it through our defence, aid and our domestic social program budgets. When conflicts occur we have refugees leaving their countries and going to other countries, including our own.

We need look no further than the Somalia and Ethiopia situations where thousands of poor individuals have come to our country putting demands on our immigration social program budgets. We have welcomed them here because of the circumstances that they left, but I am sure most of these people would rather live in their own homes in peace and security than have to move half a world away just to have their basic human needs met. We must prevent conflicts because it costs us, it costs them and it costs the world.

The cost of peacekeeping and peacemaking to the International Monetary Fund, the World Bank and the UN has driven these institutions, particularly the UN, to bankruptcy. The UN costs have increased dramatically. The peacekeeping and peacemaking options have increased dramatically. It takes such an enormous chunk of money out of them that they simply cannot afford to function. It is driving them into bankruptcy.

In the case of the World Bank, the cost of post-conflict reconstruction has increased 800% in the last 12 years alone. This cannot continue but it will continue unless we put measures in place to prevent conflicts from occurring.

Here is a road map to conflict prevention. The first thing we need is an early warning centre. I propose today to the Canadian government that it work with members from across party lines to develop an early warning centre in Canada.

There are three possible sites that I have identified: First, Royal Roads Military College in Victoria, which has an excellent centre for conflict prevention; second, the Norman Paterson School of International Affairs in Ottawa with its fine post-graduate programs in diplomacy and in teaching political science; and third, the International Centre for Human Rights and Democratic Development in Montreal.

Any of those sites could be an early warning centre where people from around the world could input data from the private sector, NGOs, private individuals and academia. They could input information concerning their particular area for human rights abuses, violence being meted out to individuals and torture or polarization taking place between different ethnic groups, which is what usually happens. Polarization is foisted upon certain groups, usually by despots who are trying to do this for their own political gain. An early warning centre is key. Second, we need to have a series of responses. These have to be an integrated series of responses involving diplomatic, economic and military initiatives.

• (1115)

The diplomatic initiatives are fairly self-evident. I propose again today that the government work with like minded nations, with other interested parties, to develop a rapid reaction force of multilateral diplomats under UN auspices that can go early into a situation. We have rapporteurs in the Horn of Africa but we need more of them. We need teams of diplomats who are viewed as being independent and without prejudice who will go in and try to identify ways in which the circumstances can be diffused.

Third is economic issues. This is an area that has been untouched and unexplored and an area wherein we as a nation can use multilateral organizations to enormous effect. Using economic levers can be very effective both as a carrot and a stick in the prevention of deadly conflict.

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War needs money. We have all seen pictures on television screens of individuals in impoverished countries where the average income is \$1 a day, carrying on their backs AK-47s, 50 calibre machine guns and enough weaponry that would cost them years to be able to afford. The money to buy these comes from somewhere. To look behind the scenes to see where it comes from is interesting. We must develop a way to choke the money supply. We can do that by applying sanctions targeted particularly at despots engaging in behaviours patently destructive to their people.

We could look at the present situation in Angola where President Dos Santos and the head of UNITA have been engaging in a war for more than 12 years that has resulted in the slaughter of hundreds of thousands of people. As we speak, there is an impending devastating famine in Angola, completely and utterly organized by the two individuals that have been engaging in war for so long and using their people as tools and pawns.

Angola is one of the richest countries in Africa, and indeed the world, with its billions of dollars from the sale of oil and diamonds, diamonds that we buy when we get engaged or married. The diamonds coming from Angola are fuelling a conflict that is causing the death of thousands upon thousands of innocent civilians as we speak.

We must develop ways to choke off the money supply. Intelligent targeted sanctions and the use of financial levers should be applied to these individuals to encourage them to pursue peace and not to take the road toward polarizing groups. Using economic levers as a carrot on a stick can be enormously successful in the prevention of deadly conflicts.

The World Bank and the IMF should put conditions on their loans and on their development aid packages. We simply cannot continue to pour money into countries with no good government and where there will be an explosion of conflict. Once conflict takes place all the aid and development engaged in for decades is destroyed. We go back to square one. All the good money that we and many other countries of the world have put into the IMF, the World Bank and the UN for development is for naught once conflict takes place.

We can look at the degree at which destruction can occur. If we look at Kuwait, six months after Saddam Hussein walked into Kuwait he destroyed the country. It will take up to \$100 billion to bring Kuwait back to where it was. Who pays for that? Kuwait and the international community.

We cannot afford it. International organizations cannot afford it. We have to prevent it. The IMF, the UN and the World Bank need to put conditions on the actions of countries behaving in ways that are completely destructive to the internal and external security of their regions. The government has done some excellent work in Sierra Leone by sending one of our colleagues there. We need to continue doing this.

• (1120)

All these organizations are not apart from us. They are us. We make up those organizations. People like to sling arrows at the UN, the IMF and the World Bank, but we are a part of them. We make the decisions and set the direction of these organizations. Therefore we can change it. In self-interest we must argue with other countries of the world that this can no longer continue.

Usually the last resort is military. It can also be implemented in a preventative fashion as was done in Macedonia. The argument can be that a small early investment in troops, particularly of a multilateral nature, can be enormously effective in preventing conflict. We saw this in Macedonia.

It would have worked in Rwanda if it had happened before April 1994. Instead we sat on our hands and did nothing. I find it ironic that the European Union would rise on its hind legs and criticize Mr. Haider for his egregious and repulsive comments of the past. It went through enormous gymnastics to slam him yet sat on its hands when it knew that people were being slaughtered in Srebrenica and Bihac. The European Union was targeted with doing something about it. It knew full well that people would be slaughtered and it did absolutely nothing.

Right now we see situations all over the world where the European Union, the OSCE, the OEDC and the UN are sitting on their hands while people are being slaughtered. In Rwanda there is another impending conflict. It is the same one that took the lives of over 700,000. It will happen again. We do not hear a peep about what is happening in Angola, yet thousands of people are being slaughtered. In northern Angola the body parts of innocent civilians are being chopped off and fed to them, and we are doing very little to save them from this trauma.

Military intervention has to take place under certain circumstances. Troops have to be armed for war while engaged in peacekeeping missions. We cannot send them into a situation without being armed appropriately. They must have robust rules of engagement. We cannot have a situation like occurred in Bosnia where soldiers helplessly watched while innocent citizens were gunned down. They must have the mandate to go to their defence.

That is why a rapid reaction force is good. I compliment the Minister of Foreign Affairs for proposing that in the past. It is good and we need to continue to work toward it. Five to ten thousand troops in a multilateral initiative that has a permanent peacekeeping base and operation centre can be very useful for diffusing a situation early, but it has to be multilateral.

I hope these initiatives will take place with regional organizations. Regional organizations can and should play an enormous role. Too much emphasis has been placed on first world countries, NATO and North America to implement peacekeeping and peace-making solutions. More power and more initiative has to come from organizations like the OAU, OSCE and ASEAN on security issues within their areas. This is important.

Private Members' Business

The next point is to deal with the U.S. arms registry. It should be expanded to involve the sale of small arms. The greatest producers of small arms are the G-8 nations and the five permanent members of the security council. They stand and want to talk about peace, yet they are fuelling the fires by selling small arms to individuals engaging in wars in which civilians are being slaughtered. This circular pattern needs to be broken. We need to engage in the rules and regulations and develop a method of preventing deadly conflict.

In summary, I thank the government and members of the other political parties for their support of this apolitical motion. It is one that could be extremely useful to our country in finally breaking the cycle of war that continues to take place. The major problem we have is a lack of political will and action.

• (1125)

If I have not been able to argue today on humanitarian grounds the basic need to intervene by helping civilians who are helpless and are being slaughtered, tortured or raped indiscriminately, perhaps I can convince the House to support the motion on the basis of self-interest. If we do not get involved early on in these conflicts we will pay for it in defence aid and economic costs to the taxpayers of Canada.

The world is looking for a leader to revamp the UN, the IMF and other regional organizations. It is up to us to work with other parties in this regard. There is a will and a desire to do it but there needs to be a flame or spark to ignite it.

It is not an option for us but an obligation. It is something of which Canadians would be proud, something we could do and something that would be manifestly important for the security of the international community.

[*Translation*]

Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, the motion before us calls on the government to convene a meeting of "like-minded" nations in order to develop a multilateral plan of action to reform international organizations, so that they can play a more effective role in the area of conflict prevention.

The hon. member has rightly brought to the attention of the House the importance of strengthening the capacity of international organizations to prevent conflict.

Our government, in particular the Minister of Foreign Affairs, is cognizant of the devastating effects of conflicts around the world. Recent events have demonstrated that Canadians are not isolated from international conflict.

Consider the recent Air India hijacking, the kidnapping last year of eight Albertan oil workers in Ecuador, the insidious influence of the illicit drug trade on young Canadians, the impact on Canada of the global traffic in human cargo, and the spectre of terrorist activity in our country. These are all human security threats happening today in Canada or to Canadians.

As members know, the promotion of human security is a foreign policy priority of this government. Human security is a complement to national security which takes the safety and well-being of people as the measure of security.

Canada views conflict prevention paired with good governance and respect for human rights as the best path to follow to achieve sustainable peace and human security and achieve our goals. We are already pursuing these goals in a wide range of international fora.

There are many ongoing efforts to enhance the capacity of the international community to improve conflict prevention. Canada believes that the United Nations must be at the centre of the international community's efforts to prevent conflict.

The charter of the United Nations, with its strong emphasis on "we the peoples", has as a guiding principle the promotion of human security. We now need to give new meaning to these words, to make the UN's actions more relevant to the security and welfare of individual human beings, in a way, to give the Organization back to the world's people for whom it was founded.

That is why Canada sought election to the United Nations Security Council. The United Nations remains the only global body with nearly universal membership. It has a mandate to assist states to prevent and resolve conflict and build lasting peace. The United Nations Security Council has as its central role the maintenance of peace and security.

Canada has consistently called for greater security council activism on conflict prevention. We welcomed the debate led by our Slovenian colleagues on the security council last November.

Canada called on the security council to embrace a culture of prevention rather than responding once conflict has broke out. We stressed the security council's key role as a deterrent to conflict, in particular through the judicious and timely use of instruments at its disposal. These include peacekeeping interventions, sanctions and the creation of international criminal tribunals.

• (1130)

By ending impunity for war crimes and other human rights abuses, these instruments in turn deter others. Above all, by becoming more responsible to threats to human security, the security council will serve as a more effective tool of conflict prevention.

Out of that important security council debate came a presidential statement in which the security council reaffirmed its responsibility under the Charter of the United Nations to take action on its own initiative in order to maintain international peace and security.

The statement also expressed the security council's intention to support, with appropriate follow-up action of course, efforts to prevent conflict by the UN secretary-general through such areas as fact-finding missions, good offices and other activities requiring action by his envoys and special representatives.

The security council also decided to consider the possibility of a meeting at the level of foreign ministers on the issue of prevention of armed conflicts during the Millennium Assembly, which will be held this fall. Canada, as a member of the security council—and as president next April—remains engaged in the ongoing discussions on this matter.

We reject the argument that the security council should limit its attention to traditionally defined conflicts between states. In this spirit, we participated in the recent open debate of the security council, chaired by the United States, on the impact of AIDS on peace and security in Africa.

Canada's deputy permanent representative to the UN said during the debate that the AIDS pandemic has presented, and continues to present, major challenges to governments, in part because one quarter to one half of African personnel in the health, education, security and civil service sectors are expected to die from AIDS within the next five to ten years.

Not only is this a serious human tragedy, but it is also a tangible threat to peace and order in the affected countries which already confront many other challenges, including civil strife, refugee flows and internal displacement, rapid urbanization and poverty.

A year ago, when Canada assumed the rotating presidency of the security council, we convened an open debate on the protection of civilians in armed conflict. The meeting was chaired by the Minister of Foreign Affairs, who identified four challenges facing the security council. These included: the prevention of conflict; ensuring respect for international humanitarian and human rights law; supporting the pursuit of those who violate humanitarian norms and standards; and, finally, addressing the issue of the instruments of war.

Canada was pleased that the security council agreed to ask the secretary-general to prepare a report on the protection of civilians in armed conflict. The secretary-general's report was tabled last September. His excellent report identified concrete measures that might be taken to improve the legal and physical protection of civilians in armed conflict, including several practical recommendations for preventing conflict. The secretary-general called for

adherence to and ratification, implementation and dissemination of international human rights, humanitarian and refugee law instruments.

He advocated greater responsiveness to the early warning indicators of conflict by making use of human rights information and analysis from independent treaty body experts and the UN Commission on Human Rights. He recommended the establishment of expert working groups of the council to monitor volatile situations and to consider options to prevent the outbreak of violence.

The secretary-general also suggested that the council consider the deployment of preventive peacekeeping operations such as UNPREDEP in the former Yugoslav Republic of Macedonia in 1995, or other preventive monitoring presences, and he noted the need to address hate media assets in situations of ongoing conflict. He also identified factors which should trigger action by the security council to protect civilians in the face of massive human rights violations or humanitarian emergencies.

Building on the Canadian drafted resolution adopted in September on this subject, Canada now chairs an informal experts-level working group of the security council which is considering ways to implement the report's recommendations.

• (1135)

We have also provided support for the Lessons Learned Unit within the United Nations to foster the development of guidelines for demilitarization, demobilization and reintegration of combatants during the peace process. In addition, Canada has created CANADEM, a stand-by roster of experts in various peacebuilding skills, who are available on short notice to serve on human rights field missions and in peace support operations around the world.

In conclusion, I wish to reiterate that the government welcomes the interest of the hon. member in the issue of conflict prevention. We do not disagree that the international community must continue to enhance its ability to prevent conflict, including through international organizations. Through the promotion of human security, this government is working at the United Nations, in the G-8 and within a network of states to accomplish just that.

The government is already involved in ongoing efforts, both formal and informal, and involving a broad range of countries aimed at achieving the objective contained in the hon. member's motion. As I have indicated, Canada is at the forefront of these efforts to enhance the international community's conflict prevention capabilities.

For this reason, the government is not convinced that the adoption of this motion calling for the convening of a meeting would be conducive to advancing the important objective of improving the international community's conflict prevention capability.

Private Members' Business

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, in connection with the motion by the hon. member for Esquimalt—Juan de Fuca, while I have sympathy for his intentions, at the same time I have misgivings about the wording and even his proposed amendment, for a number of reasons which I am going to explain.

First of all, I have sympathy. He spoke eloquently of the extremely troubling and revolting scenes taking place all around the world, which are intolerable. We will readily agree that millions of people have been killed all over the world in senseless conflicts since the end of the cold war. We are all aware of this.

We can also hope for prevention. The desire to take preventive action is not lacking, not in the hon. member, not in the government, not in the party I represent, not in members of parliament, not in ordinary citizens, not in the NGOs. The real question is: how we go about it.

The proposal made by the hon. member, and I recognize his merit in so doing, is to perhaps stir up debate on this in the Standing Committee on Foreign Affairs. This might be the ideal forum for doing so. However, several aspects of the motion disturb me.

First of all, the notion that one country could play a lead role, to spark a so-called policy of the necessity of prevention, is not realistic. This is not how it is done. Many people everywhere want to carry out prevention. We need only go to the UN, to visit the representatives of the institute for conflict resolution. Many people are working concretely on this.

On the other hand, when he refers to like-minded countries, in French “nations de même esprit”, this raises questions in my mind.

● (1140)

If we are to create a real prevention force, there may be countries with different visions, but these visions together must then lead to the establishment of a plan, if a plan is enough.

My first question concerns the expression “like-minded nations”.

I will now deal with the expression “in order to develop a multilateral plan”. I must say that I have a bit of a problem with that. Our hon. colleague is his party’s critic, and his party revealed a new position on foreign policy last fall. I was therefore expecting that, as critic, he would adopt this policy, I understand that this is not the case, and I am a bit lost.

It was in light of this policy that I prepared my speech. I note that my colleague is distancing himself a little from it, but he will have to tell us more. Developing a multilateral plan involves all parties, otherwise how could we manage?

The motion says “to reform multinational organizations”. They do indeed need reform. There has been consensus on the need for reform in the various forums I have participated in. Mr. Camdessus, the outgoing president of the International Monetary Fund, does nothing but talk about the interests of the developing countries, but what was his policy when he was the active president?

We have all seen the fiasco of the Seattle summit, resulting from the collision between the rich countries and the others. The gap between the rich countries and the poor ones is widening. We cannot be thinking that a single political plan will reform these international bodies. Major interests are at stake.

So long as the rich countries, including the most powerful, do not understand the link between the unacceptable aggression happening worldwide and poverty, we will get nowhere.

The aim of the member’s motion is for the plan to make it possible to “identify the precursors of conflict”. I think there are ample such organizations. In Canada and Quebec, there are groups working at the site of conflicts around the world. I heard what Canada’s ambassador to the UN, Mr. Fowler, has to say and I have also read what he has written. If the situation in Rwanda, around the great lakes, turned into something like what we have seen elsewhere, he was not certain that the UN would intervene. I respectfully submit that the problem is not that we do not know there will be conflicts.

The hon. member’s motion also says establish multilateral conflict-prevention initiatives. There is nothing my party and I wish for more than for countries to be able to achieve that. As the hon. member pointed out, in 1997, out of the 27 conflicts that occurred, 24 were internal ones taking place within a country.

● (1145)

These conflicts involve groups and people who have power relationships between each other. These conflicts sometimes have economic roots. Some of them occur because a group wants recognition. It is not enough to know that a conflict is brewing. We must also understand the situation, otherwise we will not be able to intervene.

Let us take the conflict in Kosovo, regarding which there was what I would call a reluctant consensus in this House to call for military intervention. The current situation in Kosovo is extremely problematical. In the name of humanitarian objectives that I shared then and that I still share, we created a situation where the multi-ethnicity of society has become difficult to maintain. That conflict should have been avoided altogether. But how could it have been avoided without looking at the issue of Kosovo’s self-determination?

However, the international community is still opposed to self-determination. In preparation for this speech, I read a book written

under the direction of Charles-Philippe David and Albert Legault, two very attentive observers in Quebec. In their book, a professor wrote the following about Yugoslavia:

An analysis of the events that preceded the declarations of sovereignty and independence of Slovenia and Croatia suggests that the armed conflict in Yugoslavia might have been avoided if the international community had been prepared to rethink the role and implementation of the principle of self-determination.

I understand the hon. member's determination, but I cannot support the proposal in its present form. However, I hope that this debate will lead to more discussions on the issue.

[English]

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I am pleased to rise to participate in the debate on this important motion. I want to congratulate the hon. member for Esquimalt—Juan de Fuca for proposing this motion to the House.

I welcome the general note that he has struck in his comments in speaking to the motion. I might say, as my colleague from the Bloc Québécois indicated, that it represents somewhat of a shift from the position that appeared to have been taken by the Reform Party last fall. In October the Reform Party tabled a foreign policy document that in fact would take us in many respects back to the dark ages, a document that in fact in many respects was highly critical of the role of the United Nations, a document that was isolationist and profoundly reactionary in many respects.

I am not sure if the new critic—and I congratulate him on his appointment to that position—is now putting some distance between himself and the policies of the Reform Party as enunciated in that earlier document. I can only say that I certainly hope that is the case.

I was somewhat troubled by the comments that the critic made with respect to an important issue last week. That was with respect to the policy of the Government of Canada to join with the European Union and many other countries in voicing our deep concern as Canadians about the profoundly racist and anti-Semitic policies of Joerg Haider in Austria. It is my understanding that the position of that member was that Canada should not have joined with the European Union in expressing our strong condemnation of those policies and, in particular, joining in the diplomatic isolation of Haider. That signal was again an unfortunate one.

The motion before the House today calls on parliament to urge the government to show leadership with respect to identifying the precursors of conflict and establishing conflict prevention initiatives. It speaks of a number of multilateral organizations: the IMF, the World Bank and the United Nations. To that I would add the World Trade Organization, a very important organization. More and more we see in these international organizations that they are being driven not by human values or respect for human rights, but

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by global corporate values, the global pursuit of profit. We saw that in the context of the WTO meetings in Seattle.

• (1150)

I was proud that a broad cross-section of people from around the world stood to vigorously reject that agenda. They said that as part of any fair global trade regime we must put human rights, the rights of working men and women and the environment at the forefront. As long as we cannot, for example, take action on the exploitation of child labour within the WTO there is something terribly misguided, wrong and twisted about those priorities.

I stand here as a New Democrat, as member of a party that has since its founding been committed to strengthening multilateral organizations which work on behalf of the interests of people. Forefront among those is the United Nations. So much of what the UN has done is tremendously important in advancing those global objectives of human and social justice. I think of the work of UNICEF, the World Food Council and many others.

At the same time we have to recognize that the time has come to make significant changes, to reform those organizations. That is why I welcome the opportunity to participate in this debate. I congratulate the member for Esquimalt—Juan de Fuca for his leadership in bringing this issue before the House of Commons.

We have to look at the structure of the United Nations itself. We must strengthen that body. We must certainly look at the composition of the security council of the United Nations, which does not reflect present global realities, and we must look at how we can more effectively strengthen the general assembly of the United Nations.

However, we have a more fundamental challenge today, and that is how we can restore confidence and respect in the process of the United Nations itself, because too often the countries of the world and, in particular, the most powerful country of the world, the United States, show contempt for those resolutions.

I will give a few examples and share some of the concerns that we New Democrats feel about that.

[Translation]

The Standing Committee on Foreign Affairs is, as my colleague for Mercier has said, in the process of addressing the Kosovo situation. The United Nations has passed a very important resolution, resolution 1244, which is aimed at restoring an environment in Kosovo in which there is respect for all the inhabitants of Kosovo, including the Serb minority.

There have already been some very powerful, very significant reports as to how this resolution is not being respected in Kosovo at all. As well, there are insufficient resources to promote human rights, rebuild the country's infrastructures and establish a fair judiciary system. The cost of one or two days of bombing would be sufficient now to create a fair and just country.

*Private Members' Business**[English]*

The United Nations has failed in Kosovo, not only to protect fundamental human rights, particularly the rights of the Serb minority and other minorities, but at the same time to put in place the resources that are necessary to establish respect for that resolution.

We see that in too many other areas. We see it with respect to the resolutions that have been adopted overwhelmingly by the United Nations on Cuba, condemning the United States embargo or blockade of Cuba, and yet the United States shows total contempt for those resolutions. We see it with respect to the Middle East. Recently many of us voiced deep concern about the Israeli bombing of southern Lebanon. It is in total violation of many United Nations resolutions, not the least of which is resolution 425 which calls on Israel to withdraw from Lebanon, which would help lead to a peaceful solution in that very troubled part of the world. Once again it is selective enforcement of United Nations resolutions.

• (1155)

I want to recognize as well the concern that many have voiced about the failure of the United Nations to respond to a continent that is undergoing profound agony. I know the member for Esquimalt—Juan de Fuca has spoken to this and indeed has travelled that continent, Africa. Too often the United Nations has turned a blind eye to the terrible tragedy, the grinding poverty, the debt burden and the terrible violations of human rights in Africa. I hope, as part of this debate, that we will have an opportunity to address that issue as well.

The last issue I want to touch on is the question of Iraq. The hon. member talked about United Nations policies on sanctions. I had the privilege of participating in a delegation which travelled last month to Iraq, sponsored by a group from Quebec. Objection de conscience. What we have seen in that country are humanitarian, environmental and social disasters as a result of the implementation of United Nations sanctions. Our government has talked about human security as being the cornerstone of our foreign policy, but how can we speak of human security in Iraq when over 500,000 innocent children have died as a direct result of this cruel and inhumane sanctions policy?

We must recognize that the policy must be changed. Indeed, the last two UN humanitarian co-ordinators for Iraq have resigned. Denis Halliday resigned.

[Translation]

As the co-ordinator put it, "We are destroying an entire society. It is as simple and as terrifying as that".

[English]

We learned last week that the current UN humanitarian co-ordinator, Hans Von Sponeck, is also resigning in despair over the

failure of this sanctions policy in Iraq. The head of the World Food Programme has also announced her resignation.

I take this opportunity to plead with the Government of Canada to show leadership and to call for the lifting of these inhumane sanctions on the people of Iraq.

I close by once again welcoming this debate. In the remaining hours of the debate I look forward to continuing to discuss how we can strengthen and reform the United Nations.

The Acting Speaker (Mr. McClelland): The House will continue the debate until 12:05 p.m., in order that we will have a full hour for Private Members' Business.

[Translation]

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, I have already had the opportunity to speak to the motion by my colleague from Esquimalt—Juan de Fuca, but I would like to add a few points.

The first time we discussed this motion, I noted its difficulties and limits with respect to the concept of like-minded nations. Obviously, if we have a bill from the government, for example the upcoming budget, and I invite the four opposition parties, we are like minded. It seems fairly easy to unanimously oppose something, someone or some bill. When it comes to like-minded nations, apart from developing awareness, from saying how good we are and that we are on the right track, I am not sure we will reach the desired end. That said, it does not mean doing nothing.

One of the consequences of this concept, which is already several years old, is that groups already exist but do not have the backing of the major international organizations, which have been in existence since, the second world war, the 1960s or the 1970s.

• (1200)

We need only think, for example, of the two groups, when the issue of genetically modified organisms was discussed. We had the Miami Club and others. Instead of seeking a solution, we divided ourselves. However, I want to stress that the beauty of Motion M-30 is that it develops an awareness to all international organizations. It might have been advisable to give priority to one or two, instead of providing examples.

Mr. Speaker, I would like to ask you a question, since you have been following world events since World War II. How many international organizations have been created since, and how many have disappeared? Not many. International organizations were created and more continue to be added every year. The result is that their duties are added or changed, and there is duplication. People, including parliamentarians in this House, must humbly recognize that they cannot keep track of what is going on.

Earlier, I referred to the hierarchy among international organizations. This morning, we talked a lot about Kosovo and about the

gulf war. During the gulf war, the UN assumed a large part of the decision-making process. A few years later, the case of Kosovo came up. Because some members did not think it was effective enough, the UN was replaced by NATO.

So, depending on what is going on at the international level, we choose those organizations that we like. Another situation where people pick and choose is in the case of trade disputes between Canada and the United States.

If they think they have a better chance of winning out over Canada in the WTO, they are going to opt for the WTO. If they think the chances there are less good, they will opt for the free trade agreement. There is a problem. Which is the more important? The bilateral agreements, the international, the multilateral? No one knows. The decision is made at the time. I have referred to the UN and to NATO. Which is more important? Depending on what the Americans want, they are going to opt for the UN, for NATO or for some other organization.

It is indeed high time to think seriously about the internationalization of absolutely everything. Today there is frequent reference to the sovereignty of a country, but finally something is relinquished. I do not know if I can use marriage as an example, not having the experience myself, but it is a bit like when people get married. Two people marry—whether or not they are of the same sex, and that will be voted on later today—and they decide to pool certain things, accept certain obligations, and thus relinquish some of their sovereignty, because of their marriage. On the international level, it is the same thing, when it comes down to it. We relinquish more and more of our sovereignty in international organizations and lose more and more of ourselves.

Frequently, in Foreign Affairs or elsewhere, there is a desire to put an initiative in place, but we are reminded that this is contrary to an agreement signed with this or that organization. In another case, we will say “Yes, that is what we should do”. But then we are told that it cannot be done, because of the free trade agreement, the UN, NATO. So we are extremely limited.

Of course, we support what Motion M-30 proposes, as we did before the last session was prorogued. I can tell hon. members that profound reflection will be required. I could spend days discussing the matter, but unfortunately my time is up.

[English]

The Acting Speaker (Mr. McClelland): The time provided for Private Members’ Business has expired. The hon. member for Richmond—Arthabaska will have four minutes when next this item comes before the House.

The time provided for the consideration of Private Members’ Business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

Government Orders

GOVERNMENT ORDERS

[English]

MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT

BILL C-23—TIME ALLOCATION MOTION

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved:

That in relation to Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, not more than one further sitting day shall be allotted to the consideration of the second reading stage of the said bill and, fifteen minutes before the expiry of the time provided for government business on the day allotted to the consideration of the second reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purposes of this order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

• (1205)

The Acting Speaker (Mr. McClelland): 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:

The Acting Speaker (Mr. McClelland): Call in the members.

• (1250)

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

(Division No. 687)

YEAS

Members

Adams
Anderson
Augustine
Baker
Belair
Bellemare
Bertrand
Bonin

Alcock
Assad
Axworthy
Barnes
Belanger
Bennett
Blondin-Andrew
Bonwick

Speaker's Ruling

Boudria	Brown
Bryden	Bulte
Byrne	Calder
Caplan	Carroll
Catterall	Chamberlain
Chan	Charbonneau
Chrétien (Saint-Maurice)	Clouthier
Coderre	Collenette
Copps	Cotler
Cullen	DeVillers
Dhaliwal	Dion
Dromisky	Drouin
Duhamel	Eggleton
Finlay	Folco
Fontana	Fry
Gagliano	Galloway
Godfrey	Graham
Gray (Windsor West)	Grose
Guarnieri	Harb
Harvard	Jackson
Jennings	Jordan
Keyes	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Lastewka
Lavigne	Lee
Leung	Limoges
MacAulay	Mahoney
Malhi	Maloney
Manley	Marleau
Martin (LaSalle—Émard)	Matthews
McCormick	McGuire
McLellan (Edmonton West)	McWhinney
Mifflin	Mills (Broadview—Greenwood)
Minna	Mitchell
Murray	Myers
Nault	O'Brien (London—Fanshawe)
O'Reilly	Pagtakhan
Paradis	Patry
Peterson	Pettigrew
Pickard (Chatham—Kent Essex)	Proud
Proulx	Redman
Reed	Richardson
Robillard	Rock
Saada	Scott (Fredericton)
Serré	Sgro
Shepherd	Speller
St. Denis	St-Julien
Stewart (Brant)	Stewart (Northumberland)
Szabo	Telegdi
Thibeault	Torsney
Valeri	Vanclief
Whelan	Wilfert
Wood—121	

McDonough	McNally
Ménard	Mercier
Meredith	Muise
Penson	Perron
Picard (Drummond)	Price
Robinson	Schmidt
Solberg	St-Hilaire
Stinson	Strahl
Tremblay (Rimouski—Mitis)	Turp
Venne—73	

PAIRED MEMBERS

Easter	Lefebvre
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The Speaker: I declare the motion carried.

* * *

PRIVILEGE

BILL C-23—SPEAKER'S RULING

The Speaker: I am now prepared to deal with the question of privilege raised by the hon. member for Calgary Centre on Tuesday, February 15, 2000 relating to the alleged disclosure of Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, to a third party before the introduction and first reading of the bill in the House.

I would like to thank the hon. member for bringing this matter to the attention of the House, as well as the opposition House leader, the parliamentary secretary to the government House leader and the hon. member for South Surrey—White Rock—Langley for the assistance they have offered to the Chair.

The issue raised by the hon. member for Calgary Centre concerned the premature disclosure of Bill C-23 by the Minister of Justice to a special interest group which subsequently did an in-depth analysis of the bill before it was actually introduced and read a first time in the House. In his presentation the hon. member argued that this behaviour was contrary to the parliamentary law and practices of the House.

● (1255)

[Translation]

I fully understand the frustrations of the hon. member regarding the circulation of documents that are of a confidential nature and I have ruled on this in the past. Certainly, the Chair is of the opinion that government bills, once placed on notice, should be kept confidential until introduced in parliament.

Bearing this in mind, the Chair wishes to emphasize that this is not the first time that a case of this nature has been raised on the

NAYS

Members

Abbott	Ablonczy
Alarie	Asselin
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bailey	Bergeron
Bigras	Blaikie
Breitkreuz (Yellowhead)	Brisson
Canuel	Cardin
Casey	Casson
Chrétien (Frontenac—Mégantic)	Crête
Davies	de Savoye
Debien	Desjarlais
Desrochers	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Duceppe	Dumas
Fournier	Gagnon
Gilmour	Girard-Bujold
Godin (Acadie—Bathurst)	Godin (Châteauguay)
Goldring	Grewal
Grey (Edmonton North)	Guay
Guimond	Hart
Harvey	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Jaffer	Jones
Lalonde	Laurin
Loubier	Lunn
MacKay (Pictou—Antigonish—Guysborough)	Marceau
Marchand	Mark
Martin (Esquimalt—Juan de Fuca)	Mayfield

floor of the House. In fact, a question of privilege with certain similarities to the present one was before the House on January 18 and 19, 1984.

[*English*]

I refer members to the ruling Speaker Francis gave on January 19, 1984 and which can be found at page 563 of the *Debates*. He stated:

The process of consultation is an important part in the development of proposals if they are to succeed in the public interest—

There are any number of situations where drafts of bills have been circulated and no further action has been taken with regard to them. Surely the Chair cannot be placed in a position of determining whether a document or a piece of paper, or whatever it is—it is certainly not a document of the House—can or cannot be circulated, or that the Speaker in some way should regulate the persons to whom such a document could be circulated.

I am of the same opinion as Speaker Francis. Although the members of the House should always be the first ones to examine legislation after it has been introduced and read the first time, this rule must be balanced against the need for the government to consult both experts and the public when developing its legislative proposals. The form and content of such legislative proposals is entirely left to the discretion of the government. Once introduced and read a first time in the House, the text is officially made public and the legislative process in parliament is initiated. The Chair must rule that the matter raised by the hon. member for Calgary Centre does not constitute a *prima facie* case of privilege nor a contempt of parliament.

I would like to thank the hon. member for Calgary Centre and all of the other interveners for raising this matter.

* * *

MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT

SECOND READING

The House resumed from February 15, consideration of the motion that Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be read the second time and referred to a committee.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, thank you for the opportunity to contribute to the debate today regarding Bill C-23. I believe it to be a reasonable and sound bill. It is after all an administrative bill which promotes the objectives of the Government of Canada.

I also want to note that several of my colleagues have already provided compelling arguments for the adoption of this legislation. They have, and quite rightfully so, noted that the proposed amendments to modernize benefits and obligations are fundamentally about fairness.

Government Orders

I also want to note that I will be sharing my time with my learned friend and a very prominent person, the hon. member for Vancouver Quadra.

The Supreme Court of Canada in its May 1999 ruling in *M. v H.* sent a clear signal that governments cannot limit benefits or obligations to opposite sex common law relationships. This bill will ensure that federal laws reflect the values of Canadians, values that are enshrined in that sacred of documents, the Canadian Charter of Rights and Freedoms.

The modernization of benefits and obligations act will treat common law same sex relationships and common law opposite sex relationships equally under the law. The act recognizes that same sex couples in committed relationships are entitled to the same benefits and obligations as their unmarried opposite sex counterparts.

• (1300)

Canadians can be reassured that the proposed legislation does not change the legal definition of marriage. Marriage is clearly defined in Canadian law as being the union of two persons of the opposite sex. Although a few European countries, Denmark, Sweden and Norway, by way of example, have limited recognition of same sex relationships, a distinction is maintained in the law between marriage and same sex relationships.

This legislation is in line with what is happening elsewhere in the country. Several provinces have already begun to amend their benefits and obligations legislation. For example, in 1997 British Columbia amended numerous statutes to include same sex partners. In June of 1999 Quebec amended 28 statutes and 11 regulations to grant to same sex partners the same benefits and obligations that are available to opposite sex common law partners. In October 1999, to comply with the supreme court decision in *M. v H.*, the province of Ontario passed omnibus legislation to bring 67 statutes in compliance with the ruling, and it was done within 48 hours.

As well, more than 200 private sector Canadian companies currently give benefits to their employees' same sex partners, as do many municipalities, hospitals, libraries and community and social service institutions across this great country of ours. Clearly a majority of Canadians acknowledge and accept that same sex common law couples should have legal rights and obligations similar to common law couples.

Having said that, it is necessary to make a distinction between common law and dependency relationships. For example, the conjugal common law relationship, be it of the opposite or same sex, is very different from a relationship between members of the same family or long time roommates. A number of adult Canadians currently reside with elderly parents, siblings or other relatives. Extending benefits and obligations to people involved in all of these forms of relationships would have far-reaching consequences for individuals and for society as a whole.

Government Orders

Although many federal statutes currently extend limited benefits and obligations to family relationships, further study is required to determine if it would be appropriate to treat family relationships in a similar manner as common law couples in all or at least in some of the circumstances.

The Minister of Justice, who led off debate last Tuesday on this very important bill, has referred the question of dependency to a parliamentary committee where the proper consultation and discussion can take place. Canadians need to be brought into the discussion and included in an examination of this issue.

I want to take a little time to outline some of the things that need to be looked at and discussed. For example, take the case of an elderly woman living with her son and daughter-in-law. Should the younger couple's combined income be included in the senior citizen's calculation of her eligibility for the guaranteed income supplement or under the old age security? I do not know the answer to that. I think we should find out. Or, consider the example of children caring for parents in their home. In one case a daughter supports her widowed father. In the house next door another woman provides for both her mother and father. How would we treat these cases? I do not know, but we should find out.

Would relationships of dependency apply to any two people who live together or to limited numbers as long as they are under the same roof? I do not know the answer to that. Again, we need to find out. Would the government exclude all relatives, as France does now, or exclude only opposite sex common law couples, as Hawaii has chosen to do? We need to study that. More to the point, are Canadians prepared to assume the obligations that are part and parcel of this legislation? The fact is, the issue goes far beyond simply extending benefits. Bill C-23 also imposes obligations.

Our objectives in considering changes to the system should be to encourage rather than discourage people from taking care of each other. While benefits which reflect dependency would likely be welcomed, it is unclear whether the accompanying legal obligations should be imposed on individuals for those relatives with whom they reside. This needs further study to know exactly what that means.

• (1305)

An equally important consideration is that even if such a system were created at the federal level it would only apply to areas of federal jurisdiction. Many pieces of legislation that grant benefits and impose obligations are now divided between or shared among the federal, provincial and territorial governments. More and more of our social programs are seamless, necessitating consultation and co-operation with our provincial and territorial colleagues and partners. This is exactly what the Minister of Justice wants to pursue, as announced last Tuesday.

This bill does not preclude discussion which has already started, and rightfully so. This is a huge and very important issue, not only to the House but to all Canadians, on whether and how to acknowledge the nature and reality of the many types of dependent

relationships. The government will carefully examine the findings of current studies being conducted into this issue. It seems obvious that there may be many remaining issues to be resolved. It is important that we take the necessary time to do our homework and get it right.

In the meantime we have an immediate requirement to extend benefits and obligations to same sex partners. The supreme court ruling is clear. It has sent a clear message that same sex couples must be treated equally to opposite sex common law couples.

Canadians are a just, fair and honourable people. They do not like discrimination. They do not like intolerance. They believe in fairness. They believe in tolerance and equal treatment under the law. It is now up to us as legislators to ensure that the laws of the land comply with the direction given to us by the courts and the court of public opinion. By amending these 68 statutes, affecting some 20 departments and agencies, in one comprehensive bill we can quickly and efficiently modernize many laws that are currently out of sync with Canadian values.

I urge all hon. members of the House to vote accordingly and to endorse this necessary administrative legislation.

Mr. Rick Casson (Lethbridge, Ref.): Mr. Speaker, I listened with interest to the comments of the member opposite. He brought up a couple of points which I would like him to clarify. Regarding his plea to have all members of the House vote for this legislation, I can assure him that I will not be voting for it.

He mentioned taking direction from the courts. One thing we must remember is that there was some direction given by the House last June when it voted to affirm the definition of marriage. I would like his comments on why that definition is not affirmed in this legislation.

He mentioned many areas that needed clarification. How are we going to apply this law when it is based on sexual activity and when other relationships of dependency are not clarified? How are we going to do that? If this needs to be done, as I believe it does, then why have we not opened up this bill to more broad public input? Would that input not help to solve some of the problems that he indicated still exist with this legislation?

Mr. Lynn Myers: Mr. Speaker, I want to inform the hon. member that the definition of marriage is already in law. It is built into the laws of Canada. Therefore, it really is unnecessary in this instance to reassert it.

In terms of the member's second question, we are not about to bring in sex police or anything else that he might have alluded to in terms of enforcement. This is simply an administrative bill that is a fair bill. It ensures that Canadians, whoever they are, are treated with tolerance, compassion and respect. We will do it in a manner

consistent with the values that all or at least most Canadians hold, and it is important that we proceed accordingly.

Whether it is immigration, Indian affairs, the Nisga'a treaty, or other issues relating to a whole host of things, it is always amazing to me to hear Reform members talk in code. They talk in code in a manner that is inconsistent with the very fundamental principles of this great country of ours. Canadians reject outright what they represent and the kind of nonsense they promote.

• (1310)

We are not about the politics of hatred; we are about the politics of hope. On the government side we will continue to maintain the politics of hope because that is what Canadians, who are fair, tolerant and compassionate, want us to do.

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, we should perhaps examine what this bill is and what it is not. It is a response to a Supreme Court of Canada decision, *M v H*.

Parliament, under our system of modified separation of powers, is a co-ordinate institution with the court and must respond to and accept supreme court decisions in our area of constitutional competence. The only solution other than that is by way of constitutional amendment seeking to override a supreme court decision, and that is a very difficult hurdle; or it is by use of the notwithstanding clause, and by consensus of parliament all parties, since the adoption of the charter of rights, accept that that is not a remedy to be used at the federal level.

We have responded appropriately to the Supreme Court of Canada decision. It is on that basis that I support this bill, and my constituents, as good Canadians, understanding that we live under the rule of law, will do the same.

I say, though, that the nature of the bill, the limited objective that it has, explains what in terms of legal drafting might be called a somewhat inelegant, dull or pedestrian formulation. It is a compendium of 68 different federal laws which are changed as a result of this bill. It is not, however, a declaration of same sex rights or a code of new relationships. That is not its function. It simply establishes certain legal consequences of same sex relations applying to 68 different areas of federal responsibility. That is what the bill is about.

Larger issues were thoughtfully raised by the Minister of Justice and by my colleague, the member of parliament for Waterloo—Wellington, in his address on the larger issue of the legal consequences of relations of dependency. It is one of the interesting things in the multicultural society in which we live, and which is very much present to me as a member of parliament for the city of Vancouver, that the new cultural communities have reaffirmed what has always been part of their heritage but seems to have

Government Orders

disappeared in general in the older Canadian society. That is the extended family relationship and the notion that there are categorical imperatives, if we can call them that, of a moral nature but which are observed even more fully than in a legal relationship, between parents and their children, in the relationship of children to support parents, in the relationship of siblings within a family relationship.

The Minister of Justice promised study of this issue and it is an idea that seems historically right for reaffirmation. I know of very many situations of aged parents supported by children. I know very many situations of unmarried sisters or unmarried siblings living in support to each other. It is correct, as the member for Waterloo—Wellington said, that these relationships will involve, if we are to give legal recognition to them, the same sort of intricate study of perhaps 68 or even 108 federal laws, and probably provincial laws, to get an answer, but it need not be a Kathleen Mavourneen situation, that it may be now or maybe never with the study. We can rely on enough pressures within the cabinet and the government to be very sure that when we speak of a study it will be a very timely study.

There have been problems that have been referred to and I will simply say that as a lawyer I do not see the same degree of problem solving difficulty as perhaps some of the people who have already spoken.

• (1315)

It is said that if one gets into a legal dependency relationship one may logically lose the benefit of separate income tax filing benefits that apply to persons operating singly. This is true as the law stands. It may be a case for changing the law. It may, however, also be a case for persons seriously considering whether they wish to offer themselves in a special category of a dependent relationship deserving recognition by the state, especially in our taxation laws.

It has been mentioned that people may change their mind. The son who supports his aged mother may decide enough is enough and run away. I am afraid if we establish legal dependency relation privileges and benefits it maybe one of the things we have to put up with; that we cannot renege unilaterally or casually on a relationship entered into. These are the sorts of things that an intelligent legal study by a parliamentary committee, that is now envisaged for this new type of legal relationship, will get into.

We may also have problems of establishing a bona fide relationship of dependency. I see this problem existing in relation to Bill C-23 as it now stands and any future bill on dependency relationships. It is not an insuperable problem. It is the sort of thing that a good revenue minister is very well aware of because revenue ministers aim to catch up with gaps in the tax system and evasion, fraudulent or otherwise.

Government Orders

What I am saying is that there are problems. They can be studied in depth but the difficulty of solving them are not impossible or beyond the capacities of parliamentary committee of the calibre of an all-party committee set up in this particular House.

I reaffirm that the relationship of dependency, which the minister promised to study, is perhaps the most interesting idea to come out of this particular debate. It is something on which the new Canadian communities have more to offer the older Canadian communities and to remind them of obligations that they have perhaps forgotten too easily, the older communities in the open society in which we live.

Bill C-23 goes a very important part of the way but it is only part of the way. We should, in this sense, accept in good faith the undertaking by the minister and vote for Bill C-23 because it respects our obligation to respect decisions of the supreme court and bring federal laws in line in a timely fashion.

I would have drafted it differently. It is a huge bill with 68 different laws but it is an indication of the complexity of the problem in terms of tidying up the legal details. That work has been done in this domain and the work in the other domain, the larger dependency relationship, will take at least as much time.

On that basis, I commend this idea to you, Mr. Speaker. One could note that in another capacity it seems to me that you, Mr. Speaker, have expressed ideas very similar to my own.

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, Bill C-23 is an act to modernize the Statutes of Canada in relation to benefits and obligations is an act to ensure that common law relationships, both opposite and same sex, are treated equally under the law.

Many Canadians believed that this was already the practice in Canada, just as they believed that pay equity was already established. Canadians have had their eyes opened over the last few years as we New Democrats in the House of Commons have had to constantly, week after week, remind the government of its obligations to follow the law and to treat people equally and fairly.

The changes in Bill C-23 are about fairness. They will ensure that in keeping with the Supreme Court of Canada decision in May 1999 same sex common law couples have the same obligations and benefits as opposite sex common law couples. The act will ensure that same sex couples have the same access as other Canadian couples to social benefits programs to which they have contributed.

This legislation is supported by 70% of Canadians. As Canadians we recognize the diverse makeup of families in Canada. We have come to understand and support same sex partners who are committed to each other and their families. With that commitment

comes the right to equal and fair treatment inferred by legislation in this country.

• (1320)

This act is not about special rights, as some in the House would suggest. It is not about special treatment. It is about fairness and equality, responsibility and accountability.

I know the government has a hard time with those words when it comes to taxpayer dollars, but in this act that is what is intended: responsibility and accountability.

The bill is a long overdue response by the government to the supreme court. It is a long overdue recognition of same sex couples. The supreme court case, *M v H*, which led to this act, was about support payments after the breakdown of a same sex relationship: commitment, responsibility and accountability.

The changes to legislation as a result of the bill are not about money. In fact the finance department estimates that changes to the Income Tax Act to extend conjugal obligations to same sex couples will lead to an additional \$10 million in revenues for the federal government. I am surprised this did not come about sooner, as we see the government trying to get as many dollars as it can through EI and CPP surpluses and numerous other reasons.

These changes will save taxpayers and litigants expensive court battles which are the result of out of date and contradictory legislation. Some 68 acts will be amended as a result. I will mention just a few: the Employment Insurance Act, the Family Orders and Agreements Enforcement Assistance Act, the Bankruptcy and Insolvency Act, the Canada Pension Plan and Old Age Security Acts.

Several provinces have already begun to amend their legislation. Since 1997 British Columbia has amended numerous statutes, including six core statutes to add same sex couples. In June 1999 Quebec amended 28 statutes and 11 regulations to grant same sex couples the same benefits and obligations that are available to opposite sex common law couples. In October 1999, to comply with the supreme court decision, Ontario passed omnibus legislation to bring 67 statutes into compliance with the ruling.

Parliament passed legislation, Bill C-78, that extended survivor pension benefits to same sex partners of federal public service employees, as have Manitoba, Quebec, Saskatchewan, British Columbia, Ontario, New Brunswick, Nova Scotia, Yukon, Nunavut and the Northwest Territories. As well, the majority of large cities in Canada and more than 200 private sector Canadian companies currently provide benefits to the same sex partner of their employees, as do many municipalities, hospitals, libraries, and social service institutions across Canada.

It is important to note that the Immigration Act will not be amended with this legislation. It is understood that requirements for such recognition are distinct from other benefits. However, the minister of immigration has indicated a willingness to address this issue and New Democrats urge the government to move quickly on this act.

The majority of Canadians support the legislation. It is a step in the right direction. I and my New Democratic Party colleagues will be supporting the bill.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I think it is about time we cleared the air a little bit about some of the rhetoric.

The bill does not create equality. For that reason alone this member should be voting against the bill. It is not equal because same gender couples, heterosexual and homosexual, must wait for one year before they qualify for benefits. It is not equal to married couples and the definition of marriage will not be changed in the legislation. The definition of marriage, under the common law of Canada, is defined as a union between a man and a woman to the exclusion of all others.

The member is absolutely incorrect. This does not create equality. Many people have said that in the next step they will go after marriage. I can tell the House today that there is no question in my mind that the vast majority of the members of the House will not support the change in the definition of marriage.

The member refers to a cost of \$10 million and that somehow the government should have moved quicker on this. The facts are that only 1.6% of all same sex partners will ever qualify for benefits under the changes proposed in this legislation. Officials have estimated that the government will make money on the changes because things like the GST credit will no longer extend to two persons but rather to only one partnership in which the partner income will be a clawback determinant.

• (1325)

Let us be clear. This bill is not about equality between same sex partners and married persons. It is very different. The member should acknowledge that because there is a discriminatory clause that says that there is a one year waiting period which will exclude 98.6% of all same sex partners she should be voting against the bill.

Ms. Bev Desjarlais: Mr. Speaker, seeing as that member is from the governing side, I think he should look to his minister to get clarity on the issue. She has spoken in a different tone and has indicated that the bill is about equality and fairness. It is no surprise that on the government side one hand does not know what the other hand is doing.

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I agree that the bill does not ensure total equality for everyone. The member is absolutely right. That is at fault in the legislation and we will work hard to ensure that equality.

The issue here is not about marriage. The issue is about benefits for same sex couples to ensure they are treated fairly under the legislation.

There is no question that there needs to be some serious work on that side of the House when members on the backbench come out on one side saying that this is not about equality and fairness and the frontbench ministers saying that it is all about equality and fairness.

As I said, it is no surprise to hear the government speaking one way and then another way. It is whatever fits the mould.

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, I am here today to speak in favour of Bill C-23.

The provisions of the bill are not only a reaction to the recent supreme court decision but, I would suggest, also reflects the need to acknowledge the contemporary reality of relationships that are not exclusively unions between men and women. I think the spirit of the bill is closely tied to a sense of fairness, tolerance and equality.

I will specifically address a few points that require some clarification. First, there is a misconception that the bill alters the institution of marriage and the definition of spouse.

Second, the bill simply brings the federal government up to date with other governments and the private sector in expanding benefits and obligations to adults engaged in same sex common law relationships.

Third, it is wrong to think that extending benefits will create added or undue physical burdens on the federal treasury and the taxpayer.

Finally, I think it is necessary to point out that the supreme court recently made a ruling that suggested that the federal government might enact statutes that are compatible with that court's rulings and the charter of rights specifically.

The bill and the legal interpretation confirm that changes the bill would bring would not alter the definition of marriage. Marriage would still be defined as the union between a man and a woman with all its past and contemporary legal applications intact. We should point out that Canadian courts, academics and ordinary citizens have continuously reaffirmed the first 1866 British court case definition of marriage as being the union of one man and one woman to the exclusion of all others.

I would like to digress here by saying that there was also a 1970 House of Lords decision on this very point, the case of *Corbett v*

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Corbett, where the individual, who appeared to be a woman had in fact been a man. On the basis of genetics, the court decided that a man was always a man notwithstanding what he appeared to be otherwise. To this day, Canadian courts have upheld the constitutionality of this definition.

• (1330)

Similarly, under the legislation the term spouse will only refer to a married man and woman. Marital status will remain unaltered. Any existing federal statutes that include the term spouse will still only apply to married couples. It is wrong to suggest that the provisions of Bill C-23 will alter the existing legal definitions with respect to the term marriage and all that that entails.

I suggest that some would try to use the legislation so that it might have the effect of turning back the clock to a time when social prejudice forced same sex relationships into the shadows. I would like to think as a society we pride ourselves on openness and compassion and that to ignore reality that is as old as time is not appropriate.

I think of one province in particular. An individual who taught in a school was given high approval ratings as a teacher until such time as it was learned by his employer that the individual was in fact gay. The terms of his dismissal were exclusively on the basis of his sexual orientation. In that province it was allowed to pass because, as I understand it, there was no legislation to protect the individual. I would think as a contemporary society and as a federal government we are long past that.

I am also told that public opinion surveys indicate that Canadians by a two to one margin believe that same sex couples should have access to the same benefits and be subject to the same obligations as any man or woman presently engaged in a spousal or opposite sex common law relationship. I ask those who are opposed to the bill to canvass their constituents to gain an accurate composite of opinion in their constituencies.

I understand there are people who are opposed to the bill. I think that in the House most who oppose it do so on the basis of belief systems and value systems. We have to look beyond our own individual belief or value systems to the wider, larger picture.

It is also reasonable to expect that same sex couples should be treated in the same way as other conjugal relationships. The time is long past when it was acceptable to characterize same sex relationships as deviant or odd, as some people would call them, or acts of rebellion against social conformity. Same sex relationships for some are just as natural and regular as other types of relationships and it is not for us to treat them otherwise. That opinion reflects my views on the matter.

Last year in the city of Sarnia in my riding there was the first gay pride parade. I was approached about participating. I had no problem whatsoever; I am not so insecure as to be afraid of a gay pride parade and I participated in it. The shame of the whole thing

was that not one other elected person in my riding was present, municipal or provincial; they could not find a councillor, a mayor or anyone who would go in the parade. There were 500 people in the city of Sarnia who participated in that parade. I was quite proud to be there.

I am not so insecure as to think that if I went to the parade that somebody would start a whisper campaign. My mother said to me that if I went to the parade, people may say things about me. The next day I happened to go to another event at the Polish Combatants Association. I called my mother and said that I was concerned that people were starting to whisper saying they thought I was Polish.

My children who are in university and below were quite proud of me that I would go to the gay pride parade. In this country there is a continuum of opinion, but I think a part of it is related to age. Young people understand that there is equality in this country, that we are not all made the same and that we cannot all be the same. It is like fingerprints; no two are the same. In this continuum of relationships, one could argue in this continuum of sexuality, young people inherently understand that if somebody is different from someone else, it is not a big deal. It is not a criterion on which we want to discriminate or even to point out differences.

• (1335)

My children were quite proud that I would participate. I felt it was important to show everyone that alternative lifestyle choices are in some respect mainstream, no big deal, or nothing to get upset about and that they crosscut every facet of social identities. Alternative lifestyles, although not perhaps my lifestyle, are valid. There is no legal, social, fiscal or political reason to treat those choices as anything else but legitimate.

Bill C-23 is being described by some, and it is fair to make comment, as trend-setting or innovative because several provincial governments, including good old Ontario, that hotbed of liberal thought, British Columbia and Quebec have similar same sex laws. Also, in my riding private sector companies such as Dow Chemical have had them for a number of years. Large corporations in particular have been extending benefits to same sex couples for some time.

There has also been some expression of concern with respect to the confusion between federal and provincial laws, in other words, the federal statutes would in some way cause confusion with the provincial statutes. I fail to understand how this would be the case because proposed federal legislation will only affect existing federal statutes. Provincial laws fall under corresponding provincial jurisdiction.

Just as the proposed federal legislation will not impact on provincial jurisdictions, it will not affect private sector companies nor non-governmental organizations. In fact over 200 companies

and organizations in the private sector have already extended benefits to adults in same gender relationships, as have many municipalities, quasi-governmental organizations such as some hospitals and other public or municipal institutions such as libraries.

Bill C-23 brings us up to the same level of benefit coverage that is available in several other provincial jurisdictions and in the private and municipal sectors. Even if the supreme court ruling had never been handed down, I would suggest it would have been odd that the federal government not introduce legislation similar to what is included in Bill C-23.

There has also been some talk that by extending benefits to same sex couples, an undue fiscal burden would be placed upon the federal government. This legislation aside, certainly when legislation is introduced for which there may be a fiscal implication, it is a fair question to ask having regard to the cost of a piece of legislation, having regard to the sector of the population which may be touched by the legislation, what the overall cost is, what it means to the taxpayer, the taxpayer being somebody whose sexual orientation is not even known. It is important to study fiscal implications of any bill regardless of a person's sexual orientation.

• (1340)

In this case, if we take the time to examine the bill and consider the overall ramifications, we come to the conclusion that the changes would be revenue neutral. It is important to remember that while the provisions of Bill C-23 extend benefits, which is one thing the public has latched onto, they also extend obligations to same gender couples. Any financial gain a couple would have gained would likely be offset by a higher taxation obligation, as a different status would require such things as income to be assessed jointly rather than separately.

I am sure there are cases where one could make the argument that in a particular instance there is a benefit to this. But we are talking about the overall envelope and what the Department of Finance has studied and what it has concluded.

Another example of obligation is how the GST credit can be claimed. Currently two individuals involved in a same sex relationship can individually claim two separate GST credits and file two separate income tax returns based on separate individual incomes, increasing the combined value that their credits are worth. Under the bill this practice would not be permitted. Extended benefits would likely beget higher total taxation obligations. In this case any extra money flowing out of the treasury to cover the cost of extended benefits would be recouped by the added money that would come in on the revenue side. All indications are that this is a revenue neutral matter.

What would cost taxpayers money would be the ensuing legal costs of contesting personal discrimination suits that could be launched because of federal government refusal to conform with

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the charter of rights and freedoms. Those who oppose this legislation might address this concern. There is a rising awareness in this country of the importance of the charter and of its application in a myriad of situations, this general round being one of them.

This brings me to my final point. I would respect anyone's right to oppose this bill but we should consider the consequences of not proceeding with it. I want to emphasize that I understand that there are people who see this from a different perspective. I appreciate that. I might have been the same way at some point in the past. I understand people's right to oppose this because of their religious beliefs and value system. I completely understand that. I am not saying that mine is superior to theirs. I just think that at the moment this is where the mainstream and the majority of Canadians are.

Bill C-23 fits in with the overall philosophy of fairness that the government ascribes to. We must not lose sight of last year's supreme court ruling that gave effect to this bill. It prodded it along. In *M v H* the supreme court ruled that governments cannot limit benefits and obligations to married and opposite sex common law relationships. If this bill had not been introduced, or if the House chooses to defeat it, we must understand that the federal government's general operations would run afoul of this constitutional obligation as laid out by the charter.

Our constitutional system demands that its governments strictly adhere to its precepts and that includes the charter of rights of freedoms. It would not be able to operate indefinitely without doing so. One can argue that if it did, a constitutional crisis could develop. That might be taking it a distance, but it undermines the respect for the charter. No government can operate outside the constitutional box for that long. For this reason Bill C-23 is necessary.

I would like to think that this is not a piece of legislation that has been ordered, that the supreme court has held a gun to our head saying that we must do this. The supreme court is there to tell us whether a piece of legislation is consistent with the charter, whether it is consistent with the spirit intent of the charter, and whether a particular piece of legislation which is sensitive to the rights of minorities in this country, stands up to that very important standard as laid down in the charter. The bill simply brings us into line with what the supreme court has interpreted.

• (1345)

It is fair for some people to say that the Supreme Court of Canada should not be telling the Parliament of Canada what to do, and I agree. In this place we can ultimately decide what we are to do, but we should be mindful of the charter. Unless there is some overriding reason to opt out of the charter, and I suggest that would have to be a very severe case, we should be mindful at all times of the rules of fairness, equity and equality. The only way we could ever get out of it is by invoking the notwithstanding clause and in this case it would be a no-go, a drastic response.

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If we were to operate indefinitely by invoking the notwithstanding clause every time certain interests suggest we should, we would end up undoubtedly questioning the legitimacy of the charter which guarantees the rights we hold very close as a democratic society and as citizens of Canada.

Some might choose to diminish the supreme court ruling by trotting out the bogeyman of judge made law or by saying the supreme court interpreted the charter in the wrong way and therefore the House can ignore it, just disregard it.

This line of thought is extremely dangerous. By deploying such characterizations critics are effectively delegitimizing the entire judicial system by suggesting that some legal rulings are not as sound as others. For our constitutional system to work we must faithfully accept that rulings made by the Canadian judiciary are sound and appropriately reflect the present meaning of the constitution.

I reiterate that there may be some point in the future where the supreme court makes a ruling that flies in the face of all logic, flies in the face of where we are as a country. There may be that odd ball exception every 10, 15, 50 or 100 years where the notwithstanding clause could be invoked, but this is clearly not the case.

I am grateful for having had the opportunity to address the House on this matter. I hope by offering my views on Bill C-23 that I have been able to allay some concerns people in my riding have expressed to me. I welcome any questions or comments at this time.

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, I appeal to the professional knowledge and legal background of the hon. member opposite who just spoke. I am sure it is extensive because I have watched him in other arenas. The hon. gentleman deserves to be commended for some of the things he has done. I also commend him for his independence from time to time. He does say things a little differently than some of his colleagues.

I appeal to the member's interpretation of the 1999 supreme court decision in Ontario in the M. and H. case. The court struck down a provision in the Ontario family law act defining spouses as married persons or partners in a heterosexual relationship who have lived together for more than three years. The court ruled that it was unconstitutional to exclude same sex couples from the second category but it left the issue of marriage untouched.

I would like to ask the hon. member three questions. First, does he agree that the supreme court left the issue of marriage untouched? Second, would he agree that the bill on a legal basis changes the status of marriage vis-à-vis where it stands at the present time? Should Bill C-23 be cognizant of and take into account what was passed in June 1999 when the definition of marriage was endorsed whole heartedly by the House as being a union of a man and a woman to the exclusion of all others? Could the member address those questions?

• (1350)

Mr. Roger Gallaway: Mr. Speaker, I thank the member for those questions. There is a certain level of fear that is not based upon any reality.

Let us look at this piece of legislation in a continuum of time. Who would have thought 30 or 40 years ago that we would be in this place talking about something that is popularly referred to as gay rights? Who would have thought 25 years ago that there would be a movement not just in Canada but on this continent that would be called the gay rights movement? It was inconceivable, but we have to recognize that society is changing, certain values, beliefs and attitudes. Attitudes tie into the belief system and value system.

Marriage is a relatively old institution. The basic institution called marriage will not be undone in this place or in a provincial House because of a social movement which may have started 20 years ago or because of changes in attitude toward people who are generally referred to as homosexual or lesbian. That will not destroy the institution of marriage.

There is concern expressed that one day the nine judges of the Supreme Court of Canada will wake up and say that this has been around for 20 years, that they have read about it in newspapers and that they will undo marriage. The supreme court is not about to undo marriage. The only way that marriage can be undone is through the collective action of this House and the 10 provincial houses.

When a man and a woman are about to enter into a marriage, who lays down the regulations about who can marry? It is the provinces. They dictate everything from who is qualified to perform a marriage. I cannot perform a marriage but I have some friends in the clergy who are licensed to do so.

The provinces also lay down degrees of consanguinity which deal with my being unable to marry my sister or my first cousin. The idea that this place or the nine justices down the street will wake up one day and say that marriage is over after eons of civilization is slightly paranoid. Marriage is defined not only by the courts but most recently reaffirmed in the House a year ago. There is a conspiracy theory, which is the toughest to deal with. There is an ongoing whisper campaign that somehow we will overturn it.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I thank the member for Sarnia—Lambton for his speech on this very important piece of legislation and raise a couple of points he referenced in it.

The first concerns the fact that some individuals would like to portray this debate, this issue, this bill, as trend setting, groundbreaking and innovative. I wonder if it makes more sense to portray the legislation in terms of housekeeping and necessary work on our part to bring federal statutes in line with the values of Canadians and with numerous judicial and legislative rulings in the country to date.

The second point is the fact that the member referenced differences of opinion on the whole issue of extending the benefits to same sex couples that exist now to opposite sex couples. He referenced that there were differences that should be respected. I agree with that. However, I wonder if he shares our concern that positions have been stated in the House which are thinly veiled attempts to promote and endorse discrimination on the basis of sexual orientation. I wonder if we are really talking about acknowledging the rights of every person in the country to participate as equal citizens and about ensuring we acknowledge loving and committed relationships whether they are same sex or opposite sex.

• (1355)

Mr. Roger Gallaway: Mr. Speaker, I thank the member opposite for those questions. On the question of housekeeping I totally agree. I recall in the last parliament we amended the federal rights act regarding employees of federal institutions. That was also regarded as an attack upon the institution of marriage. Even in my moments of free association I could not make that connection. As I pointed out, there are provinces that have already enacted similar legislation.

In the case of the earlier legislation we were 12 years behind some provinces. We were 10 years behind good old Ontario and 12 years or thereabouts behind the province of Quebec. It is house-keeping. We are getting caught up although in this case we are not terribly behind in terms of the pack.

With respect to the other point made, this is about a societal shift. We have become more aware of society saying that people who are labelled homosexual or lesbian are part of society. They are just as important and equally vital to society. They should be recognized as part of society and extended the same benefits and obligations as those we extend to others who happen not to be homosexual and happen to be something called heterosexual.

[*Translation*]

The Speaker: It being nearly 2 p.m., we will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[*English*]

HERITAGE DAY

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, today is Heritage Day, a special day set aside each year

to recognize and increase awareness of the country's diverse heritage.

Each Heritage Day celebrates a different aspect of the people, places and events that have helped to shape our country. This year's theme is our farming heritage and it focuses on two areas: the heritage of place, the buildings and the sites across Canada that reflect our farming history, and the important story of the growth and production of food in Canada.

In my riding on Saturday, February 19, I had the pleasure of co-hosting the Heritage Day celebrations at the Parkdale Public Library. Our celebrations began with the Parkdale Collegiate Institute ensemble, followed by performances by the Portuguese, Tamil, Indian, Mexican and Estonian communities.

The afternoon gave my constituents the opportunity to celebrate and share in the country's diverse heritage by celebrating the diverse and rich cultures of our country.

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BRITISH COLUMBIA WINTER GAMES

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, with only three days until the opening ceremonies of the B.C. Winter Games, get ready for the snow to fly. The city of Quesnel is proud to host the year 2000 winter games.

British Columbia is known for its winters and especially for its winter sports. Many athletes who have honed their skills at the B.C. Winter Games go on to represent their province at the Canada Winter Games. More than 2,000 athletes from across B.C. will compete in over 20 events.

I commend the more than 1,600 volunteers busily preparing the food, accommodation, transportation and security arrangements necessary to welcome athletes, coaches, parents and chaperones to Quesnel and to what surely will be one of the best winter games ever.

I am pleased to be attending the games. I am particularly proud to participate in the opening ceremonies and to bring greetings and best wishes from all of Canada. We congratulate the people of Quesnel, British Columbia, and all the athletes and volunteers for the months and years of preparation, and now this festival of competition and camaraderie. The spirit lives on.

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[Translation]

SUMMIT OF THE AMERICAS

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, last week, our Prime Minister inaugurated the secretariat of the Summit of the Americas, which is to prepare the event planned for April 20 to 22, 2001, in Quebec City.

The summit will bring together the heads of the countries and governments of this hemisphere.

• (1400)

In addition, this event will be the high point of two years of important events organized by Canada, beginning with the Pan American games in 1999.

Canada was chosen at the previous summit, in 1998, held in Santiago, Chile. In the middle of last May, Mr. Chrétien made the choice of Quebec City official.

Thirty-four heads of state and government are expected in Quebec City. It may be justifiably proud of being chosen to host this event, and we wish the organizers of the summit every success.

The Speaker: I would remind the member that we must use only the name of the riding or the title of the member.

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INUIT CIRCUMPOLAR CONFERENCE

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, it is my pleasure to inform you that the municipality of Kuujuaq, in Nunavik, has been chosen to host the general meeting of the Inuit Circumpolar Conference in 2002.

I would like to recognize the hard work done by Johnny Adams, the president of the Kativik Regional Government, Michael Gordon, the mayor of Kuujuaq, Pita Aatami, the president of the Makivik Corporation and their team, in making Kuujuaq the host city for this meeting.

My hearty congratulations to the Inuit of Nunavik.

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[English]

BUDGET 2000

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, the Minister of Finance will soon bring down budget 2000, the first of this newborn century. The Government of Canada has assured us that it will be a balanced budget with a balanced approach, a budget that will set out a multi-year tax reduction plan

and one that invests in children, knowledge, creativity, innovation, environment and health.

This balanced approach reflects the Prime Minister's vision of the Canada of the 21st century: "Where prosperity is not limited to the few, but shared by the many; where every child gets the right start in life—young people have the chance to be the best—and citizens have access to the skills and knowledge they need to excel. Where citizens—regardless of income—receive quality health services".

The Prime Minister has spoken and we share his vision. Budget 2000 will make Canada the place to be in this new century. Indeed the Minister of Finance will deliver.

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HERITAGE DAY

Mr. Inky Mark (Dauphin—Swan River, Ref.): Mr. Speaker, today is Canada's Heritage Day. Canada is a country with a rich history and heritage. This year we are celebrating our farming heritage.

The rural culture today is at risk. Farmers in Manitoba and Saskatchewan need farm disaster relief.

Safe firearm use on farms is also a part of the rural culture.

Today Canadians celebrate the contributions of our aboriginals an Inuit peoples, our pioneers who opened up this land and our men and women who laid down their lives in times of war so we can live in a free society.

Canada must show the courage to acknowledge the bleak moments of history, such as the internment of the Ukrainians at the turn of the century and the Chinese Exclusion Act of 1923.

Today we celebrate our heritage knowing that all Canadians, wherever they originated, have made significant contributions in building this country. Our history reflects this diversity. This history must be passed on to all Canadians, young and old.

* * *

HERITAGE DAY

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, today we celebrate Canada's Heritage Day.

Canadians are well aware that our country's heritage is unique. It reflects our shared and diverse symbols, the languages we speak, our natural and historic sites, the special places of aboriginal people in Canada, and the diverse groups who have built this great country.

This diversity is certainly evident in my riding of Simcoe—Grey. Expressing our heritage means promoting a plurality of choices. It means encouraging the individuals who create as well as

those who form audiences. It includes building the capacity of our institutions, communities and industries to promote our culture. It means connecting Canadians to one another and to the world.

Following question period today in Room 200 of the West Block the Audio-Visual Preservation Trust will unveil 12 audio-visual pieces of Canada's heritage that have been preserved and restored for future generations. As a member of parliament on the Standing Committee on Canadian Heritage I encourage all members to attend this event.

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[Translation]

BILL C-20

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, for several weeks now, the Bloc Québécois has been questioning the government about its haste in passing Bill C-20, but has not received any useful answer.

• (1405)

On Friday, the group Pro-démocratie criticized the government's haste, adding:

While it is true that Ottawa has made a habit of resorting to unilateralism, denial of justice and rights, and repeated violations of ethics, we will never get used to it. On the contrary, we will always condemn this—After 1982, after the tens of millions of dollars spent on the 1980, 1992 and 1995 referendum debates, after the unilateral adoption of the social union framework, after all these violations of fair play and ethics, we want to condemn this most recent show of force and ask for the withdrawal of Bill C-20, because this bill is an attempt by the federal government to set the rules and to subordinate the people of Quebec to its authority, when in fact the people of Quebec has exclusive jurisdiction over these issues.

The message could not be any clearer.

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[English]

HERITAGE DAY

Mr. Larry McCormick (Hastings—Frontenac—Lennox and Addington, Lib.): Mr. Speaker, today we celebrate Canada's Heritage Day 2000.

Each Heritage Day celebrates a different aspect of the places, people and events which have helped to shape our country. This year the theme is "Our Farming Heritage".

One of the oldest sectors of the economy, farming in Canada is a story of nation building. Much of Canada was first settled by farmers. The historic patterns of farm settlement and distinctive farm buildings in the various regions of Canada are permanent features of our landscape.

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Today more than 98% of all the farms in Canada remain family owned and operated. Agriculture has contributed significantly to

Canada's wealth, despite the fact that only 3% of Canada's population farms and only 6.8% of land in Canada is being farmed.

Being one of our top five industries, agri-food is also one of the most dynamic, high tech industries. It provides a wide range of high quality products from all of Canada's regions, playing a vital role in the strength of our economy and making significant contributions to rural communities.

I am proud to celebrate our farming heritage today and encourage Canadians to do so throughout the year.

* * *

FIREARMS ACT

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, during the debate of Bill C-68 in 1995 the justice minister appeared before the standing committee on justice and testified that he had consulted with the provinces.

Today we have six provinces and two territories challenging Bill C-68 in the Supreme Court of Canada. Four provinces have even refused to help the federal government implement the fatally flawed law.

The former justice minister's consultation with the provinces was a complete and utter failure. The current justice minister's failure to ignore reality is just adding insult to injury.

In 1995 the Liberals ignored reality by ramming Bill C-68 through parliament. Now they are trying to ram it down the provinces' throats. This is the Liberals' style of co-operative federalism.

The government claims the registry is a success because of all the firearms licences it has refused and revoked, and all the gun sales it has blocked. Better background checks are responsible for this new success. The firearms registry contributes absolutely nothing. It is—

The Speaker: The hon. member for Burnaby—Douglas.

* * *

UJJAL DOSANJH

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, New Democrats celebrate Heritage Day today with a special sense of pride.

Yesterday B.C. New Democrats made history by electing Ujjal Dosanjh as leader of the party and premier of the province. This is a remarkable accomplishment for a poor boy from a dusty village in Punjab, India, who is blazing a trail as the first person of colour to be elected to lead a government in Canada.

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There is today a feeling of tremendous pride and honour in the Sikh and Indo-Canadian communities, and indeed among all Canadians, at this historic breakthrough.

Ujjal Dosanjh is a leader of great honesty and integrity, a man who will provide, in his words, “cool leadership in a hot province”.

To Ujjal Dosanjh, his wife Raminder and his three sons, we extend our congratulations and respect for this historic breakthrough, and we look forward to many, many years of strong, progressive leadership of the great province of British Columbia.

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[Translation]

GÉRALD LAROSE

Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.): Mr. Speaker, on Friday, we saw the acrobatics of Gérald Larose, from Pro-démocratie, when he appeared before the committee on Bill C-20.

At the CSN, a union can only disaffiliate itself with the support of an absolute majority of the members paying dues, not a majority of those who vote. So, this is not the same as the famous 50% plus one rule, which they keep telling us about as if it were the only existing democratic rule.

When asked about this, Mr. Larose made the following leap of logic: a vote for Quebec sovereignty would be comparable to a union affiliation, not a disaffiliation. Separating from the Canada that we know would be equivalent to joining a renewed Canada. Therefore, 50% plus one would be enough.

Such illogical reasoning can only be based on one premise, which was stated by Mr. Larose. According to him, Quebec never joined Canada and is not part of it. The Bloc Québécois should dissociate itself from such witnesses, who do not even recognize that Quebec is part of Canada.

When one denies reality, one can only be headed for a dead end.

* * *

• (1410)

MINISTER OF INTERNATIONAL TRADE

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, with the bits and pieces of information on the mess at Human Resources Development Canada that are still coming out endlessly, it seems that the federal government's incompetence knows no limits.

Yet the person responsible for the department in the worst part of the boondoggle, the hon. member for Papineau—Saint-Denis, is making himself scarce in order to avoid having to account for his erratic administration.

In an interview with *Le Devoir*, when he was no longer Minister of Human Resources Development, he did not hold back from commenting on the situation at Emploi-Québec and from boasting of his extraordinary talents and effective management.

He went so far as to criticize the Quebec Treasury Board for controlling everything. Today, we realize the situation on the federal level is totally the opposite: the federal government controls nothing.

Where is this minister today, he who usually has so much to say? He is in hiding. But he cannot hide indefinitely. It is all very well for the Minister of International Trade to creep along the walls, hide behind each and every column in the Parliament Buildings, but the day will come when he will have to answer for his actions. Impunity and democracy are incompatible.

* * *

[English]

NATIONAL UNITY

Mr. Jim Jones (Markham, PC): Mr. Speaker, I am delighted to rise to announce that I will be hosting a town hall meeting on the topic of national unity.

The meeting will be held Thursday, February 24, at 7.30 p.m., in the Markham Civic Centre and will feature a panel discussion among some of the leading figures on the question of national unity.

Panellists for my event will include: Senator Noel Kinsella, my colleagues from the ridings of Beauharnois—Salaberry and Vancouver Quadra, Professor Nelson Wiseman and Thomas Mulcair. Our moderator for the panel discussion will be the Hon. Bob Rae.

Town hall meetings are important because they represent my effort to keep Canadians, and Markham residents, well informed. My town hall meetings offer an invaluable forum in which my constituents can learn about and express their views on national issues of the day.

It is my pleasure to extend the warmest invitation to my colleagues in the House to join me, my constituents and our guests for what promises to be an enlightened discussion. And, yes, I invite the member for Waterloo—Wellington.

* * *

[Translation]

HERITAGE DAY

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, today we are celebrating Heritage Day. Our Canadian heritage is a reflection of our pride as Canadians, our loyalty to our country, our feeling that we are honoured to be citizens of the best country in the world.

*Oral Questions**[English]*

Our Canadian heritage is the link between our people from coast to coast to coast, regardless of sex, race or religious belief. Our heritage explains our past, creates our present and paves the way to our future.

I urge all Canadians to take the time to explore this great country which I and my family have adopted.

[Translation]

Let us all take time to visit our national historical sites and monuments. Let us take time to introduce our children to their country in all of its beauty.

Let us protect our heritage for the future of all of our children.

* * *

*[English]***HEART AND STROKE MONTH**

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, February is heart and stroke month and many Canadians' lives have been or will be affected by congenital heart defect, CHD, which is ranked as the most common birth defect, affecting an estimated one in 100 children.

While many of these children have repairable heart defects and require no surgery, at least half will face one, if not many surgeries in their lifetime.

My constituents, Michael and Carol Ferry, have a daughter, Natalie, who was born with a severe and complex heart defect. Just 18 months old, Natalie will soon be preparing for her third and hopefully final surgery.

Canadians give generously every February in support of the Heart and Stroke Foundation. As a result, ongoing medical advances in the next decade could surpass all progress made during the last century, which will help to ensure that children with CHD, such as Natalie Ferry, will lead a rich, full and normal life.

* * *

CHURCHILL

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, it is with pleasure that I pay tribute to individuals and organizations involved in two momentous events that took place in my riding on January 28 of this year.

Sixty-eight men and women became the first graduating class from the University of Victoria child care vision initiative program. The program saw instructors from the University of Victoria take their program to 13 communities in my riding.

If the students would have had to attend classes on campus it would have cost \$2 million. Through this innovative approach the cost was \$311,000.

Graduates received their diplomas in early childhood education.

Congratulations to the graduates and instructors, the University of Victoria, the Awasis Agency and the Manitoba Keewatinowi Okimakanak.

This year also marks the 25th anniversary of the annual Knights of Columbus indoor track meet. This event, sponsored by the Knights of Columbus, with the support of its members, teachers, students and community volunteers, promotes healthy competition between elementary schools in Thompson.

To mark this silver anniversary, for the first time special needs students were able to participate. In a special event, relay spectators were treated to a photo finish.

• (1415)

Congratulations athletes, the Knights of Columbus, teachers and other volunteers. What a great start to the millennium.

ORAL QUESTION PERIOD*[English]***HUMAN RESOURCES DEVELOPMENT**

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, on Friday the HRD minister told the House "I confirm again that I wrote to my deputy and indicated that she would be the sole decision maker in terms of projects that were approved in the riding of Brant". But that letter said absolutely nothing about approval authority.

I would like to ask, who was approving these grants?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me clarify three things. First and foremost, no rules were broken in the application of grants and contributions in the riding of Brant.

Second, with regard to transitional jobs fund money and Canada jobs funds, the terms and conditions were met in every case.

Third and in accordance with Treasury Board guidelines, it was the deputy minister who approved Canada jobs fund money in the riding of Brant in November.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, that is a nice try but she wrote a letter that was simply not true. The deputy minister already had signing authority, and we know that. What we are concerned about is actual approval authority. The

Oral Questions

minister remained the only person who could actually approve those grants to her riding, yet she tried to blame it on her deputy.

The minister said that her letter delegated approval authority to her deputy minister. It did not. How long does the minister think this trick can last?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, there is no blame because the terms and conditions were not breached. No rules were broken.

What did happen with these grants and contributions was that men and woman, who otherwise would not have had the opportunity, are now working and are very thankful.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I know some people who are not thankful today and those are the taxpayers who are paying a huge amount of cash to look after the minister's insatiable desire.

She says that there is no blame here whatsoever. She pretended she knew nothing about this \$1 billion boondoggle for months before she actually let on. She pretended that her riding actually qualified for grants when she knew full well that it did not. Now she is pretending that it is her deputy minister who makes all the decisions.

When will the pretend minister stand up and say that she takes ministerial responsibility for this boondoggle?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member again misrepresents the issues before the House.

Some hon. members: Oh, oh.

The Speaker: Order, please. I would ask the hon. minister to please stay away from those kinds of words. The hon. Minister of Human Resources Development Canada.

Hon. Jane Stewart: Mr. Speaker, again the hon. member makes reference to the fact that \$1 billion is missing.

Let me convey again to the House that today at the request of members of parliament and the Standing Committee on Human Resources Development Canada, we have issued the equivalent of 10,000 pages of information that documents the grants and contributions in every single riding of members in the House.

The opposition is wrong to suggest that \$1 billion is missing. It is all there.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, last week the human resources minister told the House that she had granted her deputy minister the authority to approve CJF grants in the minister's riding.

Now we know that simply was not the case and that the deputy minister had only been given signing authority. There is a huge difference.

Why did the minister tell the House that she had granted the deputy minister the sweeping powers that go with approval authority when that simply was not the case?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, because it is true. Indeed, it was done in accordance with Treasury Board guidelines.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, there is a huge discrepancy between what she told the House last week and what was revealed in that letter. The minister has been unable to satisfactorily explain this big difference and why she told the House something and then revealed something completely different in a letter.

Given this gaping contradiction between what she has told the House and what was revealed in that letter, how can the public and this place have any confidence at all in anything the minister says?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, clearly the public cannot have any confidence in anything that this party says. It has continually talked about the missing \$1 billion.

Today, in the context of all the grants and contributions that have been identified in ridings of members across the country, that has proven to be wrong.

• (1420)

Day after day, the Reform Party talks about these grants and contributions as being about politics, when indeed they are about people. It will find, if it takes the time to read the lists that have been provided, that we are supporting individuals in need in ridings of every member of the House.

* * *

[Translation]

BILL C-20

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister says one thing and then the opposite.

He says that Bill C-20 is very important and then he says that it is a minor bill that does not merit our spending nights debating it.

If Bill C-20 is so important to him, why did the Liberal members have a gag order tabled in committee after the first three witnesses were heard?

The Speaker: As members know, these are questions for the committee; I do not know if someone on the government side—

Some hon. members: Oh, oh.

The Speaker: Order, please. I do not know if someone from the government side can respond. But if they can, I give them permission to do so.

Oral Questions

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as I explained to the hon. leader of the Bloc Québécois and his colleagues on a number of occasions, the government has already been very flexible.

Some hon. members: Oh, oh.

Hon. Don Boudria: We agreed to define the term technical witness broadly. We agreed to have the deliberations of the committee broadcast and so on.

Naturally, we want to co-operate with the opposition, so long as this does not delay the work of the parliamentary committee.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, introducing closure after hearing three witnesses is a first. It has never been done after three witnesses.

There are unreasonable time frames given for the witnesses' travel to Ottawa.

Is it the government's intention to turn this committee into a show, to bulldoze all deliberations on the pretext of quickly passing this bill, and to prevent people from coming to testify, because the government is not giving them time to get to Ottawa to testify?

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am glad the member opposite has raised the topic of being reasonable.

Is his party being reasonable by tabling hundreds of clippings from old newspapers in the House of Commons instead of sharing the views of his party? No. This is not being reasonable.

The government has simply tried to advance the bill to the next stage. We have said we were ready to hear up to 45 witnesses in committee, provided that doing so did not delay proceedings. The members opposite have not, to date, managed to call more than a few.

An hon. member: Liar.

Some hon. members: Oh, oh.

The Speaker: As we all know in this place, words like "liar" are not permitted in the House of Commons.

Some hon. members: Oh.

The Speaker: Order, please. The hon. member for Beauharnois—Salaberry.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the more we question the government about its clarity bill, the more its answers are evasive and confusing. The clarity bill is becoming less and less clear.

My question is for the Minister of Intergovernmental Affairs. Can the minister tell us what the value of the distinct society motion passed by his government is, considering that 49 of the 75

federal members of parliament representing Quebec are about to vote against Bill C-20?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, even if the Bloc Québécois voted against the resolution on distinct society, that resolution means a lot to Quebecers and all Canadians.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, because of this undemocratic bill in the Canadian parliament, the Quebec National Assembly had to introduce its own Bill 99 on the fundamental rights and prerogatives of the people and the state of Quebec.

• (1425)

Can the minister clearly tell us today which of the two acts will take precedence in determining the clarity of the referendum process: Bill C-20 in the House of Commons, or Bill 99 in the Quebec National Assembly?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I already answered that question. We live in a constitutional state. If, in a constitutional state, one act complies with the law and another does not, it is the act that complies with the law which will apply.

* * *

[English]

HEALTH

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the Prime Minister.

Vital eye surgery in Calgary today costs \$750; for two eyes, \$1,500. The choice that patients face is paying up or doing without.

Does the Prime Minister think it is right that patients face a choice between paying \$1,500 or risking loss of eyesight?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the clinics that the member refers to comply with the Canada Health Act because this government took action to make sure they did. The government has also shown its commitment to health care in Canada through the budget last year. It has significantly increased the transfers to the provinces. It said at that time that it would do more when circumstances permitted.

It will take more than money to make sure that we fix what is wrong with medicare. That is why I have invited provincial health ministers to join me at the table to plan changes that will make a difference over the long term. I expect they will.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, those words are nothing but hot air as long as the government is paying less than 15% of health care costs in the country. It is time for the

Oral Questions

feds to butt in with cold cash. That is what the federal government needs to do.

Will the Prime Minister make the commitment today to move toward restoring the 50:50 health partnership so that Canadians can get the health care they need, whatever their financial circumstances or wherever they happen to live?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I will reply to this question because I want to reaffirm again that we have restored the level of transfers to the provinces to the level it was in 1993-94. This is the only program that we have restored entirely since the period of cuts. It is up to the provincial governments to decide what they do with the transfers. They can apply it to health care, education or welfare.

* * *

GASOLINE PRICES

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, my question is for the Minister of Transport.

Now that the Department of Transport is enjoying huge surpluses as a result of increased fuel tax revenues, will the minister reduce the fuel taxes on trucks, at least in the short term, to assist the trucking industry, which is fighting hard to make ends meet?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, we have had under consideration the entire tax burden as it impacts on Canada and on individual Canadians. If the member looks at it he will realize that a only very small portion of the price increase for fuel relates to the tax.

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, on the contrary. The Department of Transport has gone from a zero surplus to a three thousand million dollar surplus in a very short time. At the same time, the trucking industry cannot even make ends meet because of high taxes.

Again, will the minister reduce the taxes in the short term to help this troubled industry?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, ever since we have taken office the question of tax reduction has been a priority of the government. As a matter of fact, in the last two budgets, when we were in a surplus, we cut taxes by \$16.5 billion over three years.

The Prime Minister and the Minister of Finance have assured the House that tax cuts will be part of this budget and future budgets.

* * *

HUMAN RESOURCES DEVELOPMENT

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, one of the ways the minister has tried to explain public money

going into areas that did not qualify under her own rules was to talk about “pockets of high unemployment”. She actually does not seem to understand this concept herself and in the House has explained what these pockets mean in three different ways.

• (1430)

Today in a rather interesting effort at damage control her department released an undated document which purported to explain this concept of pockets. She did not tell MPs about this, but she said that the pockets were applied differently in different regions.

I wonder if the minister could explain this whole—

The Speaker: The right hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I want to indicate to the House of Commons that yes, there were some areas in the country where the level of unemployment was lower than 12%. Because of the pockets of unemployment we decided that they were to receive grants. The riding of Kootenay—Columbia had six projects. The riding of Nanaimo—Alberni had seven projects. The riding of Nanaimo—Cowichan had six projects. I have a long list which I will keep for the next answer.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, is it not interesting that the Prime Minister does not feel enough confidence in his minister to explain such a simple concept of pockets. Not only is the minister not clear on the concept but her own document says each region was using its own approach in considering if a pocket was or was not eligible.

Is it not pretty clear, and I would like the minister to confirm this, that this is simply a transparent attempt to bend the rules, to get the political results the Liberals wanted?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, absolutely not. I am very glad to have the support of my leader. I wonder if the hon. member has the support of her—

Some hon. members: Hear, hear.

The Speaker: The hon. Minister of Human Resources Development.

Hon. Jane Stewart: Mr. Speaker, the Prime Minister indicated there were a number of areas that received support through the transitional jobs fund in areas of less than 12% unemployment. They include, and I will continue with the list, Okanagan—Coquihalla, Okanagan—Shuswap, West Kootenay, West Vancouver—

Some hon. members: Hear, hear.

The Speaker: The hon. member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques.

*Oral Questions**[Translation]*

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, this government thinks it can use taxpayers' money to advance its partisan views. On Friday, the Prime Minister even went so far as to say that this was only normal.

Could the Prime Minister tell us why 54% of all transitional jobs fund grants to Quebec between March 1996 and March 1999 were distributed in the months immediately preceding or following the June 1997 general election?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the decisions taken after the election were certainly not very helpful. In the case of the riding of Saint-Maurice, of the 17 decisions taken, five preceded the election, and 12 followed it.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, with respect to the poorly managed files, public servants were the ones who had to pick up the pieces for decisions made during the election campaign. People do not realize that this problem is not limited to the transitional jobs fund—the Liberals dipped freely into all grants programs in order to buy votes in the last election.

• (1435)

How can the Prime Minister say this is only normal and boast about using public money for partisan purposes?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, every one of the members who has risen received all sorts of grants before the election. Not a single Bloc Québécois member stood up and said the Liberal government should be thanked for the good job it is doing in Ottawa distributing money to the disadvantaged, the poor and the disabled in his or her riding.

[English]

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, to get back to the memo that comes from the transitional jobs fund dealing with grants and how they are approved, it says that the minister and her officials say that each region was using its own approach in considering if a pocket was or was not eligible. It seems that how they pick pockets on that side is a matter of discretion.

Could the minister tell us how she proposes to pick the pockets and could she tell us how the taxpayers should be left on the hook once she does it?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, part of the strength of the transitional jobs fund and the Canada jobs fund was to allow local directors to help meet the needs of local communities. There is a flexibility that is associated with both these programs. As we said that

flexibility was used in a number of Reform ridings. Surely that great western party that touts the need for flexibility would not want the control to be drawn back to Ottawa.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, so far we have heard three different ways they pick the pockets in this place. One is as the minister said last week, that it was a period of time, that it was a pocket of time. Next she got up and said it was actually—

The Speaker: We could stay away from the words “picked pockets”.

Mr. Chuck Strahl: Mr. Speaker, first of all, it was a period of time of high unemployment. Then the minister said it was not a period of time at all, it was actually a geographic location. Now we find out it may be that or it may be something else or it may be whatever they woke up and decided it would be.

It seems that the approval process is not local at all. It appears to be tied together quite closely to the front bench.

Why does the minister say that picking a pocket of high unemployment deserves to be done in her office?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I hope the hon. member will spend some time with his colleagues, those members of the Reform Party who wrote to me, through their offices, sometimes individually, saying to please get the approval of the Canada jobs fund completed for their riding. Some made phone calls asking where the approvals were.

It is clear to me what that party is. Its members stand in the House here in Ottawa and indicate that what they want to do is scrap programs like the Canada jobs fund, but when they go back to their ridings they tell quite a different story.

[Translation]

Mr. Stéphan Tremblay (Lac-Saint-Jean, BQ): Mr. Speaker, in last Friday's question period, the Minister of Veterans Affairs answered a question instead of the Minister of Human Resources Development.

My question is for the Minister of Human Resources Development or the Minister for International Trade. How can she, or he, explain why the administration of that department was, until the summer of 1999, characterized as being suitable for the Middle Ages?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, last Friday I was very glad to have part of my team, the minister responsible for ACOA who also is involved in these particular projects, respond to an individual representation in the House.

Oral Questions

With regard to the workings of my department, I am very glad to say that we are making progress on the work of improving administrative practices in my department. Men and women are being trained. Files are being reviewed. Today we have presented to members of parliament the details of the grants and contributions in their ridings. I hope they go back and look at this because clearly, many—

The Speaker: The hon. member for Lac-Saint-Jean.

• (1440)

[*Translation*]

Mr. Stéphan Tremblay (Lac-Saint-Jean, BQ): Mr. Speaker, another question for the Minister of Human Resources Development or the Minister of International Trade.

The minister signed a letter delegating her signing authority to her Deputy Minister, supposedly to avoid a conflict of interest, supposedly to protect her integrity.

Can the minister tell this House whether her predecessor had also signed such a letter?

Some hon. members: Oh, oh.

The Speaker: This question is in order. The hon. Minister of Human Resources Development.

Some hon. members: Oh, oh.

The Speaker: The hon. member for Dewdney—Allouette.

Some hon. members: Oh, oh.

An hon. member: She does not want to answer.

Some hon. members: Oh, oh.

The Speaker: Order, please. I said the question was in order. If the hon. minister wishes to reply, she may.

[*English*]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): I am sorry, Mr. Speaker, I thought you ruled it out of order.

As I have made clear to the House, in my riding there were no rules broken. The terms and conditions of the projects were undertaken appropriately. I delegated the authority for approval to my deputy minister. That was my choice to do and I did it.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, the minister is having trouble explaining that aspect. Let us move to another one.

This weekend the Prime Minister compared the billion dollar boondoggle at human resources to Canadians not being able to balance their chequebooks, a poor analogy to say the least.

When the Prime Minister is entrusted with billions of taxpayers' hard-earned dollars, he has a responsibility to keep track of them.

Why does the Prime Minister try to minimize the bungling of a billion dollars as though it were a commonplace occurrence in his government?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, they keep talking about billions of dollars. Everyone knows that there was an audit on cases for \$200 million. Out of 459, 37 had problems. Thirty-seven representing \$33 million had problems. As I said on Friday, and it is still the same, one more file was completed. Only four more are to be completed. So far \$5,974.93 has not been justified.

They talk about billions—

The Speaker: The hon. member for Dewdney—Alouette.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, obviously the Prime Minister is back to the minimize theory, that this is not such a big deal after all.

The Prime Minister compared the loss and mismanagement of a billion dollars to Canadians accidentally going over budget at the end of the month. He said, "I think it happens to you at the end of month to see that you have spent a few dollars more than expected". That is what he said. I can assure you, Mr. Speaker, that there are not too many Canadians who accidentally bungle a billion dollars.

Is the Prime Minister suggesting that his government is so mismanaged that a billion dollar bungle is a commonplace occurrence?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, they use words that have no relation to reality at all. They were all lining up to receive grants in their ridings and that was their duty to do that.

The auditors reported that there were 37 cases with problems representing \$33 million. There are four more to be reviewed and the amount of money is the money that they have not been able to trace back.

When they talk about billions of dollars, they have absolutely no—

The Speaker: The hon. leader of the Bloc Québécois.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Minister of Human Resources Development said that she had delegated her signing authority to her Deputy Minister in order to not be in a conflict of interest position, that this was the method she had selected. She just said it again a moment ago.

I will ask her again: Did her predecessor do the same? I do not want her to repeat that she chose to do so; this, we know, as she has played the same tape over three or four times.

Oral Questions

I would like to ask her very precisely if she can tell this House whether her predecessor also signed a letter delegating his contract signing authority to his deputy minister. I would like her to answer this question.

• (1445)

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, what is necessary is to make sure that terms and conditions of grants and contributions are upheld. What is necessary is to make sure that projects are approved with regard to the requirements of those programs. In all cases this was undertaken appropriately.

* * *

HATE CRIMES

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, my question is for the Secretary of State for Multiculturalism. There have been a number of recent reports including that of the League for Human Rights of B’Nai Brith and more recently by the city of Toronto police attesting to a disturbing rise in hate crimes against vulnerable minorities in the country.

What is the government doing to combat the disturbing and growing incidence of hate crimes throughout the country?

[Translation]

Hon. Hedy Fry (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, this government takes that type of activities seriously.

[English]

In addition to all the measures already in place, through Bill C-33 we have added sexual orientation to the Canadian Human Rights Act. We have amended the hate crimes legislation to ensure that there is aggravated sentencing for hate crimes.

At the moment I am heading up a round table with the Minister of Justice, the Solicitor General of Canada and Industry Canada to look at issues of new data collecting, of legislation that needs to be improved and of the new—

The Speaker: The hon. member for Peace River.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, in 1997 an audit of TJF projects in Quebec and Atlantic Canada revealed that grants were too political, that eligibility rules were bent, and that job creation figures were inflated. In fact it described the job creation numbers as misleading and said that pressure to expedite these grants was exerted from the political level.

Given the fact that no action was taken to fix this problem, why should Canadians believe that this program was not working exactly as the Liberals intended, to send out grants for political gain and nothing else?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, first and foremost the hon. member should look at the list available to him now. He will see that more than half of the transitional jobs fund projects are found in opposition ridings. He should also understand that in that review “there was no recommendation that we change from involving local members of parliament in the approval process”.

I would think that the hon. member opposite who likes to represent his constituents would applaud it for having that as part of the flexibility of this program. Mr. Speaker, what the report did say, and maybe you are wanting me to wait until—

The Speaker: The hon. member for Peace River.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, Canadians are getting pretty angry with the government’s gross mismanagement of their money, especially when tax time is right around the corner. The Prime Minister does not seem to think there is anything wrong. He says the billion dollar boondoggle at HRDC—

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. member for Peace River may begin his question again.

Mr. Charlie Penson: Mr. Speaker, with tax time just around the corner Canadians are pretty conscious. They are getting pretty angry with the government’s mismanagement of their money, yet the Prime Minister does not seem to think there is anything wrong. He says the billion dollar boondoggle over at HRDC is just business as usual.

Why cannot the Prime Minister understand that the little guy from Shawinigan’s fountain, statue, is nothing more than peeing taxpayer money down the St. Maurice River?

The Speaker: I am sure we could find other descriptive words than the one that was used. I would hope that we would not use it any more.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when we know the name of the new party we will know why they are talking about the other end.

Perhaps I should apologize to the residents of the riding of Peace River because unfortunately we used taxpayer money to give grants to the Independent Living Society, the Salvation Army, the Canadian Mental Health Association, the Disabled Transportation Society, the Grande Prairie Children’s Society and the North Peace Youth Support Association. It is too bad—

Oral Questions

The Speaker: The hon. member for Vancouver East.

• (1450)

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I received a copy of an e-mail communication between the supervisor of an HRDC office in northern Ontario and other staff which raises question about the MP's role in awarding HRDC grants. The communication states:

I suspect that the MP will want some projects funded that will not meet the apparent objectives of the JCP.

The member in question is now a cabinet minister and former parliamentary secretary to HRDC.

This culture of political influence demands investigation, so I have a question for the Prime Minister. Will he appoint an independent public inquiry to get to the bottom of this mess?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, as part of the program, the transitional jobs funding and indeed the Canada jobs fund, we felt it wise to include members of parliament who should know their communities, although I think we are going to find, as we just did, that many of them are not aware of the grants and contributions given to their ridings. Members who do know their communities can have a voice as senior elected federal officials in those ridings on grants and contributions and their application.

From our point of view that makes sense and I would think the hon. member would feel that way as well.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the minister is ducking the issue. The question is whether or not projects were approved with members' involvement that do not meet the objectives of the program. The fact is that good programs are being poisoned now for political purposes.

I have forwarded a copy of this e-mail to the auditor general and asked that it be investigated. The political management of these funds is of huge concern to Canadians. Again, will the Prime Minister act in the public good and demand that there be an independent inquiry to get to the bottom of this mess?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I ask the hon. member where she has been in the last few weeks. There is an independent inquiry going on. It is being carried out by the auditor general, an officer of the House.

The hon. member ought to be wide awake when things are going on so she will know what is happening to deal with this serious situation in an effective and fair way, not the way she is handling it.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, once again Canadians are finding there is a

direct contradiction between the propaganda that the Prime Minister is spouting about the HRDC scandal and what senior officials in his own department are saying.

The Prime Minister says \$6,000 and senior officials say \$90,000. The Prime Minister has constantly led Canadians to believe there was no problem. He has diminished and downplayed the amount of money that was not accounted for and the degree of misinformation that occurred. Who should Canadians trust, the officials who are simply doing their job and being asked to shoulder the blame, or the king of Shawinigan?

The Speaker: We are getting more and more into nicknames. Please address each other as hon. members by referring to titles instead of by using nicknames. All that does is rile up the House.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I am very glad to be able to clarify this point. I would reiterate that the Prime Minister is absolutely correct. Of the 37 projects that we are reviewing, 33 have been closed and we have identified an overpayment that we will try to collect in the area of \$5,974.93.

With regard to the media article about the \$83,000 that was portrayed as an overpayment, it is absolutely wrong. The official that the hon. member is referring to made that clear in a technical briefing today. Indeed the sponsor has multi-year contracts with the department and is advanced funds to assist with cash flow requirements.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, in documents released by HRDC a project in the riding of my colleague from Madawaska—Restigouche was listed as having been awarded \$750,000 in TJF and the creation of 75 jobs. I can inform the House that the project, Atlantic Furniture Manufacturing, never did get off the ground. It never opened its doors and it certainly did not employ 75 people.

In light of yet another embarrassing blunder, how can Canadians have any faith in the misinformation recently released by the HRDC minister?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I am glad to confirm again for the House and for Canadians that 95% of the transitional jobs fund projects are still working, are ensuring that Canadians are employed, and are making a difference.

• (1455)

The hon. member has to appreciate that there are going to be some projects in areas that do not fulfil our expectations. We are talking about taking risk here. We are talking about going into communities where no one else will go. That is the job of the Government of Canada and that is what Canadians want.

*Oral Questions***AIR INDUSTRY**

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton—Springdale, Lib.): Mr. Speaker, my question is for the Minister of Transport. Since Pearson International Airport is in my riding of Bramalea—Gore—Malton—Springdale, many of my constituents want increased international air services for Canada with increased competition from overseas airlines.

Could the minister explain why the government is not doing more to help Canadian carriers get a large share of international air routes?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I beg to differ with my distinguished colleague, but the air restructuring that we are going through has meant the opening up of more transborder routes to the United States and more international routes to Asia and to the Atlantic. Many of those routes will be going from Toronto as well as from the other larger cities across the country.

Last week I gave approval for Canada 3000 and Air Transat to fly to the United Kingdom and to Germany. There have been applications from Canada 3000 to fly Southeast Asian routes. There will be more and more choices and more and more competition that will be offered from Canadian cities on international routes.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, the 1997 audit pointed out that there was political interference in the granting of transitional jobs funds. Bureaucrats said they had no choice but to approve the projects from the Prime Minister's riding.

How could the Minister of Human Resources Development expect to maintain the confidence of Canadian taxpayers when dollars are skewed and numbers are skewed as to the job creation figures? Is it simply to support, fill and augment the Prime Minister's political patronage trough?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member in the premise to his question is completely wrong. If he wants to talk about results then maybe he should look at the list of transitional jobs fund projects. If he wants to talk about it being skewed, indeed it is skewed in favour of opposition members.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I asked a very simple question of the Minister of Human

Resources Development as to whether her predecessor had delegated his signing authority to his deputy minister, Mel Cappe.

The question is very easy to answer: it is either yes or no. I would ask her to answer me, unless she allows her predecessor, if he has the permission of the government to answer questions, to tell the House whether Mr. Cappe did or did not have authority to sign on behalf of the minister who headed the department at the time and who is now the Minister for International Trade.

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, there is no requirement to undertake this, to create this delegation of authority. As I have said before, what is required is to ensure that the terms and conditions of programs and projects are undertaken. What is required is to make sure that the integrity of our programs, our grants and contributions is maintained.

From my point of view as Minister of Human Resources Development there is work I have to undertake to ensure that the administration of grants and contributions is improved, and I will do that.

* * *

[Translation]

GASOLINE PRICES

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, gasoline now costs 71.9 cents a litre in Bathurst, while diesel is at 79.4 cents a litre in Yarmouth, the highest level in ten years.

Canadians are discouraged and now truckers from Ontario, Quebec, Nova Scotia and New Brunswick are protesting at the New Brunswick border against this drastic increase in the price of gasoline. Some of them even think they may have to hand over their trucks to the banks.

Will the federal government finally act, or will it wait until the situation becomes a national crisis?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, it is true that the price of oil has actually doubled since last year. Taxes went up by only one cent.

This is not the problem for people buying gasoline. The problem is not taxes, but the fact the price of oil has doubled.

* * *

● (1500)

[English]

TAXATION

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, in 1995 the Minister of Finance introduced a new tax on gasoline of one

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and a half cents per litre. This was supposed to be a deficit reduction tax.

Now that the deficit has been eliminated, when will the government be removing this tax?

Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, I would urge the member opposite, who was part of a government which certainly did not reduce taxes but raised taxes when going into a recession, to wait for the budget which will be one week from today, when he will see what this government's priorities are in terms of future tax reductions.

* * *

[Translation]

PRESENCE IN GALLERY

The Speaker: I wish to draw the attention of members to the presence in our gallery of Alain Richard, Minister of Defence of the French Republic.

[English]

Also in the gallery is the Hon. Anna Thistle, President of the Treasury Board, and the Hon. Beaton Tulk, Minister of the Department of Development and Rural Renewal, both of the House of Assembly of the province of Newfoundland and Labrador.

Some hon. members: Hear, hear.

* * *

[Translation]

POINT OF ORDER

CANADIAN FLAGS

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, on a point of order, you will recall that, last Thursday, the Minister of Canadian Heritage accused me of stockpiling Canadian flags sent me by her department.

I seek the permission of the House to table these flags.

The Speaker: This is not in order.

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, on a point of order, I do not in any way wish to question your ruling, but it seems to me that, as soon as consent is sought, the simplest thing—

The Speaker: I am sorry to interrupt the hon. member. Nothing has been used, named or said today with respect to the matter at issue. But, assuming that it had, is there unanimous consent for the hon. member to table these objects?

Some hon. members: Agreed.

Some hon. members: No.

ROUTINE PROCEEDINGS

• (1505)

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

NATIONAL DEFENCE ACT

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.) moved for leave to introduce Bill S-10, an act to amend the National Defence Act, the DNA Identification Act and the Criminal Code.

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

* * *

COMMITTEES OF THE HOUSE

LIBRARY OF PARLIAMENT

Miss Deborah Grey (Edmonton North, Ref.): Madam Speaker, I move that the first report of the Standing Joint Committee on the Library of Parliament presented to the House on December 16, 1999 be concurred in.

This report establishes the mandate of the committee, its quorum and its entitlement to sit during days at the Senate.

I would like to thank Santosh, the clerk of the committee, for the great job she has done.

(Motion agreed to)

* * *

PETITIONS

CHILD POVERTY

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Madam Speaker, I rise today to present two petitions on behalf of my constituents who urge the Government of Canada do everything possible to end child poverty. These two petitions are exactly the same in nature.

* * *

STARRED QUESTIONS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker,

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would you be so kind as to call Starred Questions Nos. 12 and 47. I would ask that they be printed in *Hansard* as if read.

[Text]

*Question No. 12—**Mr. Jim Hart:**

With respect to AIDA/WFIP and the tree fruit industry: (a) what is the percentage differences in gross margin levels among commodities: For example, perennials, tree fruits, versus annuals, grains; (b) can the government provide information to show that commodity groups are not treated inequitably based on their relative use of eligible and ineligible expenses; (c) can the government provide data that would indicate the AIDA program would still work should back to back below average returns be experienced in the base period; (d) can the government provide information to indicate that the inclusion of negative margins in the reference margins but reducing to zero in the claim year is more beneficial than reducing negative margins to zero for both the base period and the claim year; (e) can the government provide information to show if AIDA recognizes the special problems of perennial crops such as the little flexibility to switch commodities and varieties?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): (a) AIDA is a whole farm program so that support is not provided on a commodity basis. Data is not available on gross margins by commodity produced.

(b) AIDA provides a common basis of support for all commodities. There is no evidence to suggest that any commodities groups are being treated inequitably based on eligible versus ineligible expenses. Larger farms whether grain, tree fruits or other commodities would tend to have larger margins in dollar terms than smaller farms producing the same commodities. However, it is not the absolute size of the margin but the variation in the margins between the reference period and the claim year that triggers an AIDA payment.

(c) Depending on the trend in the margins, AIDA can make payments continuously to bring farms up to 70% of the previous three year average. In the sense that AIDA payments can be triggered in periods where margins are declining, the program can work in back to back below average return years. However, the level of payment will reflect the historical margins. In 1999 producers will be able to choose a reference period on which to base their payments, either the previous three years, or three of the previous five years, not counting the high and low income years. This will help to maintain their reference period margins as one of the low margin years can be dropped from the support calculations.

(d) There is no evidence that ignoring negative margins in the reference period would have a significant impact on program payments versus the current design where negative margins are included in the reference period. Raising negative margins to zero in the reference period would be contrary to World Trade Organization, WTO, guidelines governing green programs and leave Canada open to trade action by our trading partners.

On November 4, 1999, the Government of Canada announced that it is making a further \$ 170 million available to cover negative margins under AIDA across the country. A good portion of farmers' negative margins will now be covered for both years of the program, 1998 and 1999. Along with allowing producers to choose a reference period another change will ensure that family and non-family labour are treated the same in calculating eligibility for 1999. These changes mean that a potential \$1.07 billion in federal funding will be available to help farmers through two years of low international commodity prices and adverse weather. The changes are consistent with the advice received from the national safety nets advisory committee.

(e) AIDA is not intended to provide support for producers until their plants mature and produce a reasonable yield. A producer must be able to finance the period when plants are not producing. AIDA will only cover the portion of the farm that is in production, but as with all other commodities it will provide payments when income falls dramatically. While perennial crops limit flexibility, this is also true of those who have little flexibility in the mix of their annual crops and it is true for those with large investments in specialized livestock facilities.

*Question No. 47—**Mr. Guy St-Julien:**

Can the government produce a list of all applications made by individuals and/or groups in the federal riding of Abitibi—Baie James—Nunavik to programs of the Department of Justice for the following periods: (a) April 1, 1997, to March 31, 1998; (b) April 1, 1998, to March 31, 1999; and (c) April 1, 1999, to October 31, 1999?

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): An application to fund a project was made by the Grand Council of the Crees of Quebec under the Department of Justice's aboriginal justice strategy. Funding in the amount of \$77,000 was allocated to the grand council for the 1999-2000 fiscal year.

* * *

[English]

QUESTIONS ON THE ORDER PAPER

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

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

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[Translation]***MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT**

The House resumed consideration of the motion that Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be read the second time and referred to a committee.

Ms. Diane St-Jacques (Shefford, PC): Madam Speaker, I am pleased to rise today in the debate on Bill C-23.

The purpose of this bill is to make adjustments to reflect our changing society, and to acknowledge advantages and obligations for same sex couples on the same basis as those conferred upon common law couples of the opposite sex.

Before going any further in this debate, I must make it clear that I am speaking for myself, since the Progressive Conservative Party has chosen to allow its members to vote freely on this matter.

It is a sign of the times that this is at least the second occasion in two years on which the members of this House have had the opportunity to debate this matter. We can therefore say that this is definitely the reflection of a new reality.

• (1510)

In my opinion, this demonstrates how the thinking of Canadians has evolved, as they are now prepared to accept a certain degree of recognition of same sex partners. That is what the government's bill proposes, nothing more.

In fact, Bill C-23 proposes an updating of some 68 federal statutes in order to reflect numerous decisions by the courts of this country, the most recent of these being the May 1999 Supreme Court of Canada decision in *M. v. H.*, to which several of my colleagues have already referred. At the very most, this is a technical bill aimed at correcting a discriminatory definition of the expression common-law spouses, which has until now been limited to heterosexual couples.

Must this bill be considered a threat to the institution of marriage? Or are we to consider it legitimate recognition of a social situation in Canada and the simple adjustment of federal laws in effect? Members will have understood that I am in the latter camp, since marriage is a whole other matter for debate.

I beg the House's indulgence to make an aside in order to add my voice to the arguments by my colleagues who are criticizing the limited time afforded this House to study the scope of this bill.

Clearly, as we have realized with the bill on clarity, the government is pushing us for time. The government's propensity to push things lends credence to the disillusionment of a number of our fellow citizens at the role elected representatives play in the legislative process.

Furthermore, the courts in this country have reached many decisions that would indicate the legislator is being dragged along by the judges' decisions. It is the job of elected officials and not of the judges to consider and vote on the laws in this country.

In the matter before us, there are innumerable decisions decrying in one way or another discrimination on the basis of sexual orientation. The polls indicate clearly that most Canadians consider it appropriate to give some sort of legal recognition to same sex partnerships. Even if parliament were to reject the present bill, it would face this issue once again in a relatively short time. I would be surprised if the courts were to change their minds and public opinion were to change completely.

Elected officials will therefore be, as we are today, pressed to change the laws to put an end to discrimination on the basis of sexual orientation. By rejecting the bill, we could send Canadians the message that we are not in tune with their concerns. Rather, we must show Canadians that the government is aware that things change and it is keeping an open mind. A number of provinces have passed or are about to pass legislation to correct the situation.

The federal government too must adjust its legislation before it becomes totally obsolete. We, as elected representatives, must not merely react to social pressure, but anticipate it and act accordingly. The public expects the government to be proactive, because that is its role. If passed, Bill C-23 will put Canada alongside the most progressive countries regarding this issue.

I agree with my colleagues and fellow citizens who feel that the bill before us today relates closely to fairness and human rights. Canada is constantly cited as an example of a tolerant country that respects human rights.

Not so long ago, the Right Honourable Antonio Lamer, former Chief Justice of the Supreme Court of Canada, said that several countries were constantly calling on his expertise in interpreting the Canadian Charter of Rights and Freedoms to develop their own laws. I personally care a great deal about the principles of fairness and tolerance, which are the foundations of Canadian society. However, I wonder why discriminatory provisions can still be found in our legislation.

Why is the Canadian parliament hesitating to take a step that many companies in the private sector have already taken? The private sector is hardly known for its social convictions. I am concerned that the prejudices associated with sexual orientation are winning out over respect for human rights as understood in the Canadian Charter of Rights and Freedoms, if not in the letter, then at least in the spirit.

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If there had not been legislation to abolish discrimination based on sex, race, language or religion, Canada would not be the model of tolerance it is today.

Bill C-23 has the advantage of clarifying various pieces of legislation in a manner consistent with the spirit of the Canadian Charter of Rights and Freedoms, and without prejudice to the institution of marriage, which a majority of us, myself included, wish to protect.

• (1515)

The government has deliberately chosen to maintain a clear distinction between partner or spouse, which refers to legally married couples, and common law partner, which refers to couples living in a common law relationship, a conjugal relationship different from marriage. The spirit of this important distinction is the same as that in similar legislation passed in Quebec, Ontario and British Columbia. It is only logical that the definition of common law partners include same sex partners.

We would be sticking our heads in the sand to think that there are no moral implications to this bill. However, I think that this kind of definition corresponds to the evolution in what is acceptable to Canadians. That is what our society is prepared to accept. I do not believe that the majority of the population wants a debate on the definition of marriage. The government has the right angle on this matter and I congratulate it on that.

Some of my colleagues would like to see a debate on marriage or on the institution of the family as it has been understood for generations. I am not rejecting such a debate, but I do feel it is inopportune within the context of the bill being debated today.

As I did in the debate on Bill C-309, introduced by the hon. member for Hochelaga—Maisonnette in 1998, I support Bill C-23, and for the same reasons.

This parliament must recognize, once and for all, that the definition of common law spouse contained in federal legislation is discriminatory. This flaw must be corrected promptly, in a country claiming tolerance and fairness.

Like the hon. member for Pictou—Antigonish—Guysborough, I would call upon the members of this House to set aside personal or partisan considerations in order to reach a neutral and rational judgment on this matter.

Canada has always played a lead role in issues relating to the recognition of human rights, and must continue to do so.

[*English*]

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, we are debating the modernization of benefits and obligations act,

an act that was sponsored jointly by the Minister of Finance, the President of the Treasury Board, the Minister of Human Resources Development and the Minister of Citizenship and Immigration.

The bill is part of an ongoing commitment by the Government of Canada to ensure that its policies and programs continue to reflect the values of Canadians, values that are enshrined in the charter of rights and freedoms.

As many members are aware, the Supreme Court of Canada made it clear that governments must treat unmarried opposite sex and same sex couples equally. When the bill is passed it will amend legislation to recognize the principle of equal treatment for all common law relationships. Same sex partners will be included in the new definition of common law partners and they will be granted the same benefits and obligations as opposite sex common law partners.

I also point out that the legislation changes will preserve the fundamental importance of marriage in Canadian society. The definition of marriage will not change. It is the union of a man and a woman to the exclusion of all others.

The bill will amend 68 federal statutes affecting 20 federal departments and agencies. The proposed changes are about fairness. Same sex couples in committed relationships should be entitled to the same benefits and obligations as their unmarried opposite sex counterparts.

The Supreme Court of Canada, in its May 1999 ruling in *M. v H.*, has made it clear that governments cannot limit benefits or obligations to opposite sex common law relationships. The proposed changes will ensure that federal laws again reflect the values of Canadians which are enshrined in the charter.

The proposed legislation does not affect the definition of marriage. In fact, a few European countries have limited the recognition of same sex relationships but a clear distinction is maintained in law between marriage and same sex relationships.

Several provinces have already begun to amend their legislation. Since 1997 British Columbia has amended numerous statutes to include same sex partners. In June 1999 Quebec amended 28 statutes and 11 regulations to grant to same sex partners the same benefits and obligations that are available to opposite sex common law partners.

In October 1999, again to comply with the supreme court ruling in *M. v H.*, Ontario passed omnibus legislation to bring 67 statutes into compliance with the ruling.

• (1520)

At present more than 200 private sector companies give benefits to their employees' same sex partners, as do many municipalities,

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hospitals, libraries and community and social service institutions across the country.

The bill does not preclude discussion, which has already started, on whether or how to acknowledge the nature and reality of many different types of dependent relationships. Dependency is a very complex issue with far-reaching consequences for individuals and society as a whole. A number of adult Canadians currently reside with elderly parents, siblings or other relatives. Although many federal statutes currently extend limited benefits and obligations to family relationships, further study is needed to determine if would be appropriate to treat family relationships as similar to married and common law couples in all or at least in some circumstances. While benefits which reflect dependency would likely be welcomed, it is unclear whether the accompanying legal obligations should be imposed on individuals for those relatives with whom they reside.

For example, eligibility for a guaranteed income supplement under the old age security is determined on the basis of combining the income of both persons, which might result in reducing benefits for some elderly persons who live with relatives. As another example, if an adult lives with an elderly parent for many years and then leaves, should that adult remain legally responsible to pay support for that parent because they were once in a dependent relationship?

Other issues that would need to be resolved include how dependency relationships would be defined and what relationships would be allowed. Would individuals be allowed to self-declare their relationships, or would the government require proof of some kind? Would relationships of dependency apply to any two people who live together or to unlimited numbers as long as they are under the same roof? Would the government exclude any relatives, as France has done, or exclude only opposite sex common law couples, as Hawaii has chosen to do? There are many issues yet to be resolved.

Our objective in considering changes to the system should be to encourage rather than discourage people to take care of each other. We must be careful to ensure that any legal changes would not impose obligations that act as barriers to people supporting each other.

The possibility of creating a domestic partner registry is also of interest to some. However, there are several concerns with a registry which would require further study.

There are privacy considerations since a registry would be open to the public, as are registries for births and deaths, which might result in people being forced to have their relationship publicly known. As well, there are no guarantees that such a scheme would protect the most vulnerable in a relationship, for example, where one partner might refuse to register in order to avoid legal obligations on the breakdown of that relationship.

Most important, if such a system were created at the federal level it would have limited utility as it would only apply to areas of federal jurisdiction. In Canada, where the many pieces of legislation that grant benefits and impose obligations are divided between or shared among the federal, provincial and territorial governments, a registry would require the unanimous agreement of all levels of government on the relationships to be recognized. This would be necessary to help assure Canadians that a registry would work effectively, efficiently and fairly.

These changes are balanced. Obligations as well as benefits will be conferred on same sex couples. As a result, the fiscal impact of these amendments will be minimal, if any. Clearly, this is not a cost issue.

Many here today have expressed concern that the Government of Canada is deferring to the courts on this issue and that the supreme court is overstepping its proper role. It is important to remember that the court is performing the role given to it by elected representatives of all Canadians through the introduction of the charter. There is no question that the role of the courts in interpreting the charter has given them both a higher profile and a direct influence on the daily lives of Canadians. However, at the same time, the charter also maintains the equally important role of parliament in determining important questions of social policy. I assure the House that this role is taken very seriously by the government.

• (1525)

The bill is about fairness. It is a balanced and responsible approach to the issue.

I wish to emphasize, because it is very important to my constituents in Erie—Lincoln, that there is nothing in the bill that alters the definition of marriage. The House will remember that we passed a motion to that effect last June, the definition being the union of one man and one woman to the exclusion of all others. The bill maintains a distinction between married and unmarried couples and no changes are made to the legal definition of marriage.

The term spouse in the federal legislation will refer only to married persons and the term common law partner will refer to those in same sex and opposite sex common law relationships. As pointed out, the bill extends both benefits and obligations to common law same sex couples.

Given the potential impact on individuals, as well as on government programming costs of creating a system of benefits based on broader principles of dependency, the issue again will require further study and consultation.

However, our objective is clear: We wish to encourage rather than discourage people to take care of each other. We must be careful to ensure that any legal changes will not impose obligations or barriers to people supporting each other.

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[Translation]

CANADA ELECTIONS ACT

BILL C-2—NOTICE OF TIME ALLOCATION MOTION

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Madam Speaker, it has been impossible to reach agreement under the provisions of Standing Order 78(1) or 78(2) with respect to the deliberations at report stage and third reading of Bill C-2, an act respecting the election of members to the House of Commons, repealing other acts relating to elections and making consequential amendments to other acts.

Pursuant to the provisions of Standing Order 78(3), I give notice that a minister of the crown will introduce a time allocation motion at the next sitting of the House to allocate a specified number of days or hours to deliberations at these stages and to the decisions required to dispose of these stages.

Some hon. members: Shame, shame.

* * *

[English]

MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT

The House resumed consideration of the motion that Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be read the second time and referred to a committee.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Madam Speaker, in light of the announcement that was just made by the government House leader, we know that closure is being invoked again. I believe it is the 60th time in this government's reign of power, surpassing previous administrations.

However, I do have a question in terms of the government's priorities. Once again we are faced with a very contentious issue at this time in the House, as we have seen also with the clarity bill. I am wondering why we are not talking about significant issues, in particular with the run-up to the budget? Why are we not talking about health care? Why are we not talking about education and tax reduction?

Why has the government decided to foist on Canadians this contentious, destructive debate at this time instead of bringing in legislation like this at a time earlier in the session?

Mr. John Maloney: Madam Speaker, I take issue with the comment that the bill is contentious and divisive. This is something that was brought forward by the hon. member's friends in Ontario. They did not have a problem with it. In fact they introduced it one

day and passed it the next. It did not go to committee as this bill will go to committee.

I take issue with what the hon. member is saying. We are dealing with all things that are coming before us. This is an important issue, vis-à-vis the charter, and we have to respond to it. We just cannot ignore what is coming forward.

Mr. Werner Schmidt (Kelowna, Ref.): Madam Speaker, the hon. member made a big point about the June 1999 definition of marriage that was accepted by the House as being one man and one woman to the exclusion of all others. He also indicated that the bill that is currently before the House, Bill C-23, is a bill that is fair, creates equity and all those kinds of things.

Does the hon. member believe that fairness and equity have to do with creating privileges and benefits on the basis of conjugal relationships other than marriage but that where there are other economic dependency relationships those would be excluded from the bill? Could the hon. member define for us what equality actually means?

• (1530)

Mr. John Maloney: Madam Speaker, I thank the member for bringing forward the issue of dependency. It is very complex. I mentioned in my speech the many ramifications it could possibly have.

We are working on the issue of dependency and will move forward on it. Quite frankly I would be very surprised if some time in the near future the extension of benefits and obligations to people in dependency roles would come forward.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Madam Speaker, I have a question for the member concerning a comment made last week by his colleague from Scarborough East about Bill C-23. I quote from page 3560 of *Hansard* where he said:

The bill is fairly simple. It really could be written in one line: common law heterosexual relationships are the legal equivalent to common law homosexual relationships. Therein lies the entire issue.

He went on to say:

The bill turns common law homosexual relationships in the legal equivalent of common law heterosexual relationships, which for many purposes is equivalent to marriage.

The member's colleague from Scarborough East made that statement. Does he agree with it? Yes or no.

Mr. John Maloney: Madam Speaker, I do not agree with that. There is nothing in the bill that has anything to do with marriage. It is about obligations and benefits.

My colleague from Scarborough can have his input on it. It is a very narrow input that has no credibility and does not hold water

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whatsoever. It is not affecting marriage whatsoever, whatsoever, whatsoever.

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Madam Speaker, I have here a document that says the purpose of this omnibus bill is to extend to same sex couples the same benefits and obligations that apply to opposite sex common law couples.

I would like to give an example. My father, who is 76 years old, is retired. The youngest of my brothers, from a family of 12 children, has decided to take my father in, since he is still single.

Could my 76 year old father, who worked all his life, who raised 12 children and who paid taxes to the federal as well as the Quebec government, not benefit from such legislation since he is living with my brother? This legislation applies only to men or women who are in a sexual relation. Because my brother is not in a sexual relation with my father, he will not be able to benefit from these measures.

If a same sex couple, two men or two women who are in a sexual relation, who share the same bed, who have been living together for more than a year, can benefit from tax breaks, is Bill C-23 not discriminatory against a daughter who takes her mother in or a son who takes his father in?

[*English*]

Mr. John Maloney: Madam Speaker, the hon. member is speaking to the dependency model. As indicated in my address it is a complex issue. There is certainly a lot of support for what the member is saying.

We all have family members who are in non-conjugal relationships: brothers and sisters, mothers and daughters, fathers and sons, or fathers and daughters, et cetera. The legislation is not shutting the door on them. It is leaving it open. In fact studies have already begun in this regard. The Law Reform Commission is looking into it.

It is very complex. It is not simple. It is not black and white. More study has to be done. We look forward to the member's input into this study. Let us bring forward good supplementary legislation, but we cannot ignore what the courts have told us we have to do.

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Madam Speaker, I would like to pick up on what the member for Charlevoix has said.

From the beginning of his speech, the parliamentary secretary has been saying that this must be broadened to include other cases in the community. Will it be possible, during clause by clause study in committee, to introduce amendments to that effect?

• (1535)

Will it be possible to introduce amendments to this bill so that a father caring for his son, or a son caring for his father, will have the same benefits the bill now provides for persons in a sexual relationship? We know that it is a very long while before a bill is actually passed.

Would it be possible to add new provisions to the bill at committee stage, and would the government agree to such provisions?

[*English*]

Mr. John Maloney: Madam Speaker, as I keep saying, it is a very complex issue. It is not black and white. It is premature. More study has to go into it.

For example, let us look at the eligibility for guaranteed income supplement. Under old age security it is determined on the basis of combining the income of both persons, which might result in reducing the benefits for some elderly people who live with their relatives. I am sure she would not want that to happen. Or, should an adult who lives with a parent and leaves after many years remain legally responsible for paying support to that parent because they were once in a dependency relationship?

These are the type of issues that have to be considered in depth and at length. We certainly will not be able to do that at the committee stage by proposing amendments, because we would not be able to look at it in the detail it warrants.

Mr. Werner Schmidt (Kelowna, Ref.): Madam Speaker, I challenge the parliamentary secretary. He makes a big point about saying how complex is this interdependency business and I could not agree more. Why the rush to get this bill through? Sixty-eight pieces of legislation are affected by this one bill. Is it not rational to expect very deep study?

Now we have time allocation on top of it all. A certain illogic, a certain irrationality seems to be prevailing. Could the hon. member persuade his colleagues to do the necessary study so that when it comes forward we can actually look at it seriously and say it covers the waterfront instead of having some kind of a patchwork quilt operation?

Mr. John Maloney: Madam Speaker, I point out to the hon. member that roughly 67% of Canadians favour this type of legislation. It is a majority in all the regions of the country. People are behind it because it is fair and it should be proceeded with, especially in view of what the court has been telling us. We cannot ignore that. We have given them that—

The Acting Speaker (Ms. Thibeault): Resuming debate, the hon. member for Dewdney—Alouette.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Madam Speaker, I will be splitting my time with my colleague from

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Kelowna. I begin my debate on Bill C-23 today by reflecting on the comments and arguments which were made during the first day of debate last week.

I clearly indicate from the outset that I do not support the legislation. The official opposition is the only party opposing this fatally flawed piece of legislation. I will outline the reasons why I cannot support Bill C-23, and I will begin with an examination of some comments made by the Minister of Justice last week.

As my colleague from Kelowna just mentioned, debate on this important issue has a wide range of implications. It is being shut down today through time allocation, a process that has been used over and over again by the Liberal government. I cannot understand why it would do that on such an important piece of legislation.

Last week on February 15 the Minister of Justice stated that the bill ensured respect for the principle of equal treatment before the law of persons living in recognized stable relationships. Let us be very clear that the minister's bill defines a stable relationship as one that is one year in length. She went on to state that fairness, tolerance, respect and equality were touchstones of our national identity. The minister will get no argument on this point. This has been echoed by members on both sides of the House, both those for and those against the bill.

The minister went on to say that they recognize marriage is a fundamental value and important to Canadians, and that the value and importance are in no way undermined by recognizing in law other forms of committed relationships. I categorically say that assertion is false.

Let me outline the strongest argument I think possible for rejecting Bill C-23, one which I believe cannot be refuted by means of recent argument or logical consistency. The bill defines the new term common law partnership as a stable relationship of at least one year between two committed individuals, whether it be a same sex relationship between two men or two women or an opposite sex relationship between a man and a woman. I do not believe anyone would argue that is what Bill C-23 does and that the bill bestows benefits and requires obligations for those who enter into same sex relationships. For purposes of this illustration let us call this arrangement example C.

• (1540)

We know that in the eyes of the common law a union between a man and a woman in a ceremony before witnesses sanctioned by the state is called a marriage. Let us call this arrangement example A.

We also know that in the eyes of the law a man and a woman who choose to live together for at least one year, even though they have not participated in any ceremony before witnesses, are deemed to

be in a common law relationship or marriage. The same benefits are accessible and the same obligations are in effect for those who are living in such an arrangement. Let us call this common law opposite sex relationship example B.

Logically if A equals B and B equals C, then A equals C. If the law sees marriage, and it does, as equivalent to a common law opposite sex relationship and sees a common law opposite sex relationship as equivalent to common law same sex relationships, and it does in this proposed piece of legislation, in effect the law if passed, Bill C-23, will see marriage as equivalent to common law same sex relationships or as stated in the bill in terms of a common law partnership.

For the minister to state that the bill does not affect marriage is completely false and illogical in any form of reasoning. The minister may believe this to be true. She may make assertions to the contrary, but by means of logic we have just demonstrated that it is not true.

The end result of the bill is to enshrine in law that two homosexual partners who live together for just one year will be afforded the same benefits and obligations as a married couple, a couple who have commitments to live together and love each other through sickness and health until death do them part, a commitment which is fundamental to the continuation and well-being of any society, the building block of society where children learn about right and wrong, good and bad, how to treat others, and how to be positive functioning members of society. For the minister to claim otherwise is simply false.

Why should Canadians trust the Liberal government to protect marriage? The justice minister is unwilling to enshrine in federal statute the definition of marriage as the union of a man and a woman as recognized by the state.

A motion was passed in the House in June 1999 that was brought forward by my colleagues in the Reform Party and agreed upon by the majority of members in the House including Liberals. They in no way can take credit for such action. It is because of the Liberal inaction on this question and their unwillingness to define in statute the definition of marriage that we brought the motion forward.

The minister says she values marriage but she is unwilling to speak with her actions instead of her hollow words. This point was made by the Liberal member for Scarborough East, a member of the government and one of only a handful who was willing to stand and say something contrary to the will of the Liberal Party. I will quote from *Hansard* what that member of the government said in regard to the bill:

The bill is fairly simple. It really could be written in one line: common law heterosexual relationships are the legal equivalent to common law homosexual relationships. Therein lies the entire issue.

I am quoting the member for Scarborough East, a member of the government, who also said:

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The bill turns common law homosexual relationships into the legal equivalent of common law heterosexual relationships, which for many purposes is equivalent to marriage.

That was a member of the Liberal Government of Canada who I guess is in direct contradiction to the majority of his group in the governing party.

Let Canadians make no mistake about the net end effect of Bill C-23 and its implications. Anybody with concerns about the issue who is listening today should voice their concerns to their local member of parliament, to the Minister of Justice and to the Prime Minister to tell them what he or she feels is the right way to proceed in this area of public policy.

• (1545)

Basically the Liberal government is signalling that it believes in sexual egalitarianism, the belief that there are no arrangements that are to the benefit of any others in the country in terms of private sexual activity. The government is signalling to Canadians that it no longer values the direction of a social policy which encourages and nurtures family and marriage as the building block of this society.

Let us make no mistake about it. That is what the bill does. It signals to Canadians that the governing group, the Liberal Party of Canada, is setting off in a direction and it has not even consulted Canadians on this very important issue that is the building block of any society. That is patently wrong.

The minister and other colleagues have put forward an argument, which we heard not long ago from the Parliamentary Secretary to the Minister of Justice, that the courts made the government do it so it must be right. They say that other jurisdictions are putting this into legislation so we must follow. Again this is a false assertion.

This is the highest court in the land. We as parliamentarians are charged with the responsibility of sending a message to the courts. It is not the other way around. It is here that we must take the stands from our constituents and bring them to this place and argue and debate by logical reasoning which is the best way to go. Here in this place.

Let us clearly point out that the Liberal government is unwilling by its actions to enshrine in law the definition of marriage. It has a perfect opportunity right now with Bill C-23, yet it has not done that. We must take from its actions as it is legislating that this is a path it does not want to pursue. The government does not want to enshrine the definition of marriage in law for whatever reasons it might have. We need to hold and Canadians need to hold this Liberal group accountable for that particular action. The Liberals over and over again have derogated their responsibility to the courts.

I see I am quickly running out of time on this important subject. I will end my speech by encouraging Canadians to look at what this

legislation does. The parliamentary secretary, the Minister of Justice and other members of the Liberal Party have stood in this place and said "Don't worry. This bill has no net effect on the definition of marriage".

As I pointed out earlier in my speech, because they are unwilling to enshrine in law what marriage means, and they are equating marriage to be the same as a common law relationship and now a common law partnership, they are in effect signalling to Canadians that they no longer support the family. They no longer support with their social policy the longstanding tradition of this country and the building block of this society. That is a shame and they need to be held accountable.

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, I would like to ask a very direct question of the hon. member opposite because certainly what this bill does do is it equates a same sex relationship with a common law heterosexual relationship. I am sure he would agree that the reason why we have common law relationships is because they are specifically not marriage.

I do not follow his reasoning that this is a threat to marriage in some way because we have grouped same sex couples with common law heterosexual couples. However, I do take note of his point. It is regrettable that this bill does not define marriage as a relationship between opposite sex couples.

I would like to ask him if the bill did define marriage in the way we all agree that marriage should be defined and the way marriage is defined in common law, would he then be able to support this legislation?

Mr. Grant McNally: Madam Speaker, my colleague made an assertion which I do not think we can actually agree on, that we all agree on what marriage is. That in itself is another debatable point that will be coming at the end of this debate, I believe.

This bill will enshrine, as the hon. member said, that common law same sex relationships will be equal in the eyes of the law to common law opposite sex relationships. I would also say that in the eyes of the law in terms of splitting property if such a relationship dissolves in terms of the common law opposite sex relationship, the law sees a common law heterosexual relationship in very much the same way as it sees marriage.

• (1550)

By equating a same sex partnership, as my colleague said, to a common law heterosexual relationship in effect is equating it to marriage in the eyes of the law. That is my assertion. That is my reasoning on that. I appreciate my colleague's further probing on that point.

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Madam Speaker, as the member for Charlevoix, having been elected in 1993 and re-elected

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in 1997, I think that my logic is sound and that I represent my constituents well.

In 1973, when I decided to marry my girlfriend, I wanted a family. Unfortunately, it did not happen in the first few months. It took a few years. I even resorted to adoption. I adopted a little aboriginal child, who will be 18 on July 2.

Subsequently, nature began to co-operate. Of course, I was teased. There were even some people who told me “Gérard, now that you’ve read the operating instructions, you know what you’re doing”. After adopting our first child, we had a boy and a girl.

When the bill says that same sex couples should have the same benefits as opposite sex couples, does this mean that even two men who have been living together for a period of time could apply to adopt a child?

We have all been to school. Children pick on each other asking questions like “Who is your mother? Who is your father?” In the case of two men living together who have adopted a boy or a girl, is this any kind of example to set the child?

If the same benefits, up to and including the right to adopt children, are provided, I am absolutely opposed.

[English]

Mr. Grant McNally: Madam Speaker, I congratulate my colleague on the founding of his family. That is a very exciting point and probably is more exciting than anything else we could talk about here today.

I would say yes, that is a logical outgrowth of what could happen with this legislation. There is similar legislation in British Columbia where individuals who are in a same sex relationship are able by law to adopt children. That is something that could be an outgrowth of this legislation at the federal level.

Mr. Werner Schmidt (Kelowna, Ref.): Madam Speaker, thank you for allowing me to enter the debate on Bill C-23. It is a very significant bill, notwithstanding some of the comments that the parliamentary secretary made that somehow he felt this was not as important as certain other bills that the hon. member from the Conservative Party raised earlier.

I want to raise two essential issues this afternoon. First it is my intention to show that the bill is fundamentally and fatally flawed. It was put together in a trivial manner. It trivializes many of the very important things we believe in.

Second, I wish to show that the bill demonstrates that the Minister of Justice is actually acting contrary to the wishes of the

House as expressed on June 8, 1999 when the House accepted in an overwhelming majority vote that the definition of marriage ought to be the union of one man and one woman to the exclusion of all others.

• (1555)

I wish to look at the fundamental flaw that underlies this bill. Not only has it been put together on very short notice and not only does it have tremendously far ranging implications, I am not sure the government has analysed what all those implications are. I suspect it has not. I suspect as well that all of the speeches we will make will probably not analyse all of them either because this cuts right into some of our deepest held beliefs.

Lest we think it is only the opinion of the opposition that this is the case, let me read into the record an editorial which appeared on February 15 on the editorial page of the *National Post*. It is very significant and I wish to read it in detail.

Proponents of gay rights often argue their cause by analogy with anti-racism. Discrimination on the basis of sexual orientation, they say, makes as little sense as discrimination on the basis of skin colour. But this comparison does not hold water. While there is no justification for denying privileges to a citizen on the basis of race, the issue of sexual orientation is less clear-cut.

Society has a manifest interest in promoting heterosexual marriage, through which it perpetuates itself. Unlike heterosexuals, however, homosexual couples cannot conceive children through conjugal union. Nor can they provide children, however conceived, with adult role models of both sexes. Where all-male marriages are concerned, moreover, gay households would be far more likely than straight households to be destabilized by promiscuity.

Thus, the best way to recognize the intertwined economic interests of cohabitating homosexuals is not to expand the definition of marriage, but to treat gay unions the same way we treat common law partnerships. This is the idea behind the modernization of benefits and obligations act introduced by justice minister Anne McLellan on Friday. The legislation, if enacted, would ensure that same sex couples will have—where federal law is concerned—the same legal rights and obligations as opposite sex common law couples.

My hon. colleague opposite has created a beautiful mathematical, logistical formula.

But if gay couples are to enjoy the same benefits as common law heterosexual couples, what is the justification for denying these benefits to non-intimates, namely people in relationships who pool economic resources but do not involve sexual intercourse?—But this does not mean sexual intimacy should be taken, by itself, as a proxy for economic interdependence. Our society has a special interest in preserving heterosexual marriage as an institution. If we decide to confer economic and legal rights to couples whose relationships lie outside that special interest, then it makes just as much sense to accord rights to cohabitating family members and friends—spinster sisters or old army buddies, for instance—as to homosexual lovers.

In this respect the modernization of benefits and obligations act is poorly conceived. It expands the definition of common law couples only insofar as gay couples are concerned. Non-intimates are excluded. There are, of course, good policy reasons for not expanding the common law definition at all. But, once the justice department expands it to include gay couples, there is no reason why it should not include all cohabitating people.

And while the act does not go far enough in this area, it goes too far in another, elevating common law relationships to the same status as married couples with regard to all but a small handful of federal laws. In this respect, the government is actually going further than the Supreme Court of Canada has required. In the 1999 case of *M. v H*, the court struck down a provision in the Ontario Family Law Act defining

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“spouse” as (1) a married person; or (2) a partner in a heterosexual couple that has lived together for more than three years. The court ruled that it was unconstitutional to exclude same sex couples from the second category; but it left the issue of marriage untouched.

In the background that accompanies her new legislation, the hon. Minister of Justice is eager to reassure Canadians that “the definition of marriage has not changed”.

And on Friday she announced that “the definition of marriage relates to an institution that is of fundamental and longstanding religious and historical significance”.

But if this is true, then why has she introduced legislation that trivializes marriage by reducing it to a status more or less equal to that of cohabitation plus sex? Her new legislation, if passed in its present form, may soon become known as the End of Marriage Act.

• (1600)

Those are very serious statements made by one of the editorial writers of the *National Post*.

I do not think any of us in the House should ignore the gravity of the issue that is before us in this bill. Not only is it being foisted upon us quickly, without adequate study and debate, it is also ill-conceived in the sense that not nearly all of the implications that arise from this piece of legislation have been analyzed and the conclusions drawn.

What we have before us is an attempt by the government to foist a bill upon us under the auspices of what is deemed to have been a directive from the Supreme Court of Ontario, and it has gone beyond what that particular court decided. Why would this House go beyond what that court said it should do?

Why would the House even dare to suggest that the supreme court has a say in what should happen in this House? It could give all kinds of advice, it could give all kinds of indication as to what could happen here. It is perfectly legitimate for the court to do that. However, nothing could be further from the truth than for the House to take it as a directive. “We must act. This is the legislation we have to enact”. That is an insult, not only to this House, but to every Canadian.

All Canadians who are taxpayers and who elected people to this government should be saying that they are not representing them honestly and fairly and this is not what they want. This House is supreme, not the supreme court.

The hon. minister, with all due respect, has contravened the wishes of the House. She had a golden opportunity to introduce into this legislation a definition of marriage, to enshrine and affirm that we, this House, define marriage as one man and one woman to the exclusion of all others. Once again she missed a golden opportunity to lay the foundation upon which our society rests.

The family is the basic unit, the most efficient unit to transfer values and beliefs from one generation to another. She missed a golden opportunity, but she could still reconsider, and I hope she does. I hope that she will withdraw this legislation, or introduce an amendment which recognizes the family and the definition of marriage, to enshrine it so there will not be a contradiction and the denial of what has been clearly expressed by the House as being the desired definition of marriage.

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, the hon. member opposite has gone on at great length about what the courts have and have not done. The definition of marriage as the union of one man and one woman to the exclusion of all others goes back to the court case of Hyde and Hyde in 1866.

I point out a recent case in Ontario. In the Ontario court, general division, there was the case of Layland and Beaulne, which dealt with the definition of marriage. In that decision a majority of the court stated as follows:

—unions of persons of the same sex were not “marriages” because of the definition of marriage. The applicants were, in effect, seeking to use section 15 of the Charter to bring about a change in the definition of marriage. The court did not think the Charter has that effect.

Unions of persons of the same sex were not marriages.

In light of that statement, in that unanimous decision by the court, what is the problem? Why are they so concerned about it? It is there. The courts are saying exactly what they want them to say. Can the member reconcile the statement made by the court with what he has said today?

• (1605)

Mr. Werner Schmidt: Madam Speaker, I am quite saddened by the hon. member’s comments. It seems to me that he has completely missed the very point I was trying to make.

This House is supreme, not the courts. A judge will interpret whatever he wants. He can say whatever he wishes in terms of definition. However, the judge needs to know what the House believes. How does the House define marriage? That is what it is about. That is why it should be in law. It should not be left to the courts to determine what is or what is not marriage. The House of Commons determines that. The hon. member has it backward. I am saddened that he would come up with that kind of question.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Madam Speaker, I listened with great interest to the comments by the Reform member who just spoke, and I believe he is right. If we were to follow the logic of the people across the way, why elect a parliament, why elect 301 members to this House? It would be a lot less expensive, a lot less

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costly to elect the nine supreme court justices and to ask them, as they have the monopoly of truth, to legislate as they see fit, which might not always be how the people really want it.

I think it runs contrary to reality to claim, as the member across the way—for whom I have the greatest respect by the way—is doing, that the House must listen to the dictates of the courts, be they high courts, medium courts or low courts. I believe we must give back to parliament its full authority, including defining a couple.

If we define a legal marriage through legal means, in the near future—I guess this is my question to the member for Kelowna—are we not going to create legal children? Or are we going to come up with legal creations which are not anchored in reality? This is the danger. We know people who are living together, who are not in a sexual relationship, but who are economically dependent on each other.

In my riding, there is a brother, of very sound mind, who will have to support his younger brother who is mentally deficient. I had breakfast with him on Saturday and he told me “Why would it not apply to me when I die? I am single, I will never marry, I will never have children, I have only my brother to support. Why could I not see to it that he is looked after, just as they are going to do for same sex couples?” This is why I have great difficulty with this bill.

[*English*]

Mr. Werner Schmidt: Madam Speaker, I wish to thank the hon. member for his very articulate analysis of the problem. I really appreciate it. I think that when it comes to supreme court judges, he would want them to be elected. One of the problems, however, is that at the present time supreme court judges are not elected. They are not accountable to anyone except the Prime Minister. He appoints them. That is a flaw in itself.

I will come back to the essence of the member’s question, which comes to grips with the very basic issue of the family and marriage in Canada. I think we have to recognize that in law and enshrine it in legislation.

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, I am glad to engage in this debate because I agree with the member for Kelowna. This is a very delicate issue for Canadians and we need to have a very good debate in the House of Commons on it.

My reaction to Bill C-23 is that it is both a good bill and a bad bill. It is a bad bill in the sense that it still keeps the issue of sex in legislation, and I am one who believes that the statement of a former prime minister that the government has no business in the bedrooms of the nation is very apropos and very correct. I am disappointed that the bill did not go much further, as many of us on

this side wanted, to explore dependent relationships, which would certainly include same sex or heterosexual relationships, but to expand that to other forms of dependency. It would have been a better bill for that.

● (1610)

However, it is an excellent bill for another reason, a very different reason. It is a classic example of the government responding with alacrity to pressure coming from members of parliament. This is a case where the government actually responded to the very insistent demands for action on the part of backbench MPs on this side and many members on the other side.

I will tell the House a story with respect to this and I will address my remarks, to some extent, to the member for Kelowna. In his remarks the member for Kelowna suggested that this bill was driven by supreme court decisions. In fact, Madam Speaker, there is a story to this bill.

Last spring I served for a while on the committee studying Bill C-63, the citizenship bill. I was not actually a member of that committee, but I was very interested in that particular piece of legislation and served quite a bit of time on the committee. I was interested actually in the oath of citizenship. I was there for an entirely different reason.

We had several witnesses come to the committee who pointed out what they thought was a major flaw in Bill C-63. This was a small section, section 43(i), and what it said, simply, was that the governor in council would be able to define spouse for the purpose of the legislation at hand.

Elsewhere in the bill there was a clause dealing with the problem of Canada’s officials when they serve overseas. If they enter into permanent relationships which would lead to citizenship, the law wanted to acknowledge that this should include same sex relationships as well as heterosexual relationships. With leaving the governor in council the opportunity to define spouse for the purpose of these other clauses, what was happening was that this was abrogating parliament’s responsibility to define spouse.

I should say that this issue was brought up first in committee by the Evangelical Fellowship of Canada. Its members spoke very well before the committee. Later there were a number of legal representations made by people from law societies who raised the same concern. They pointed out that this clause which gave the governor in council the authority to define spouse, and that could be defining spouse as a same sex relationship, was actually anti-democratic. People spoke out very loudly against it.

Then came clause by clause. This was all compressed into a very small space of time. The committee sat very late that night because

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the minister wanted the bill finished as quickly as possible. Of course the committee does try to help the minister in this regard.

This is what happened on the Liberal side of the round table. We sat in a room with opposition members of the committee on one side and Liberal members on the other side. As we went clause by clause, there was a group concerned about section 43(i) on the Liberal side. At about 10 o'clock at night, even though we were still discussing other clauses, three members of the committee held up debate on the citizenship bill. We complained that the Reform Party was not co-operating and we used that as a pretext to suspend debate on the bill.

We left the committee room and went to another room and phoned the citizenship minister. We told her that we could not pass this bill. We told her that we could not pass the clause as it stood because we all felt, all of the members who were sitting on the committee that night on the Liberal side, very strongly against the clause.

The minister was quite upset. She said "Look, I don't like it either, but it is impossible for me to change it without consulting cabinet. Can you hold on for a few days?" We came back and continued to go through clause by clause and that clause was accepted. The bill in fact returned to the House for third reading and we continued to be concerned.

● (1615)

What happened subsequently, as everyone will remember, is that the House prorogued and Bill C-63, the citizenship bill, actually went into suspension during prorogation. Interestingly enough, when the House resumed the government picked up just about every other piece of legislation that it had before prorogation except the citizenship bill. In fact, Madam Speaker, if you look at the new citizenship bill now, Bill C-16, you will find this particular offending clause missing. It is no longer there. It was taken out.

The background to the background is that after this confrontation of the Liberal backbenches and the minister—and it was a polite confrontation but nevertheless it was a confrontation—in the fall, at the same time as this clause disappeared from the new citizenship bill, the Minister of Justice held a meeting for all members of the Liberal caucus and said that she was prepared to undertake an omnibus bill that would fix the situation with respect to the definition of spouse once and for all.

The hon. member for Kelowna is quite right. It is absolutely wrong to leave it to judges to define things that are so essential to the way we interact with one another as human beings, much less as Canadians. What had been happening is that because the charter indicated that we had to give equality to people regardless of gender and regardless of sexual activity, the courts had been more and more inclined to redefine marriage.

The majority of people in my riding would be absolutely opposed to defining marriage as a same sex relationship. I would not hesitate to vote against the bill in a flash if I felt that in any way it was perpetuating the idea that marriage should be a same sex relationship, but it is not. What it is in fact doing at last is providing a means to give people in same sex relationships the same kind of benefits that people have in heterosexual relationships outside of marriage. The operative word is common law.

Madam Speaker, you cannot be married and be in a common law relationship. The whole idea of a common law relationship is that it is not marriage. All the legislation is doing is making a parallel. It is saying that a common law relationship can be heterosexual for the purpose of benefits and a common law relationship can be same sex. It is simple. No problem.

The problem though in the bill is twofold. The legislators sometimes get very frustrated. In amending various sections of the act, the legislatures chose to create this common law definition of same sex relationship. In every instance, they have said it is a common law relationship involving people of the same sex cohabiting in a conjugal relationship.

Sometimes we people who are into the meaning of words just throw up our hands because conjugal means heterosexual. It does not mean same sex under any circumstances. I just cannot for the life of me understand why the people who advised the justice minister did not simply use the word sexual. What is wrong with sexual? It covers everything. It is absolutely same sex and opposite sex. Sexual covers it all but conjugal actually refers specifically to a heterosexual relationship.

In a sense I sympathize with members like the hon. member for Kelowna because when the drafters of legislation use a word improperly, a word that has a pejorative meaning that is completely contradictory to what is intended, of course we are liable to have suspicions about the intent of the people who are crafting the legislation.

In that context, I am hoping I can persuade the minister to, for heaven's sake, change the word conjugal. I will try to move an amendment on that subject.

● (1620)

There is another simple way to alleviate many of the fears of members in the House. I am convinced that the bill is important and that it does at last take away from the courts the pressure they have been putting on us to define same sex relationships. It was very important to bring this back to parliament, and this bill does that.

However, there is fear and worry out there. I sympathize with that worry. I cannot for the life of me understand why we cannot, simply to satisfy that concern, put a definition of marriage in the

bill, the classic definition: the union of one man and one woman. It is simple. Just stick it in the bill.

The argument is a lawyer's argument "We cannot do that because it is beautifully enshrined in common law and it will somehow box in the courts if we narrow the definition of marriage". We are not in this place because we are lawyers. We are in this place because we are legislators. We are here to shape society by the good laws that we create. I have great sympathy for anyone in the House who says "for Heaven's sake, don't be driven by the supreme court necessarily. The supreme court can give some direction but we do not have to do whatever the lawyers tell us".

I cannot for the life of me, nowhere up here, see a single reason for not defining marriage in the legislation and satisfying the many people in my community and Canadians across the country who are worried about losing the traditional legal definition of marriage.

I will speak briefly about my community. My riding contains a large number of people who are very devout Christians. I have a number of Christian communities, Protestant and Catholic, that are very concerned about this issue. I also have a number of people in my riding who do live in same sex relationships and who contribute very well to the community.

This compromise that exists in the legislation where same sex benefits are grouped very narrowly under common law relationships—although we are not entirely satisfied that it is completely done—and where marriage is protected, at least the minister, I point out, has been very careful to eliminate the word spouse from the legislation so that we do not get into that trap. So that is gone from the legislation.

My sense of most people in my riding is that they really do believe that people who live in same sex relationships and who have a genuine dependency on one another should have the same benefits as people in heterosexual relationships who develop benefits so long as it is not a married relationship. Marriage is the key thing.

I also have a problem with marriage. I do not believe marriage can ever be considered a same sex relationship because marriage implies the rights of adoption. I would never ever take away the rights of children in order to satisfy the rights of adults. Until evidence is to the contrary, and I do not think it will ever occur, I think all things being equal there is not doubt that heterosexual partners make more appropriate parents than do same sex partners. So we cannot detract from the rights of children.

All in all, the bill at least finally addresses what we on this side of the House, and I think many across the country, have been clamouring for, to take away the initiative of the courts that were poised to define marriage and spouse as same sex relationships

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which would be entirely inappropriate. I will support the bill on that basis.

Having said that, what I want the members opposite to realize is that many on this side fought very hard behind the scenes to have the bill take the whole sexual component out entirely and to address dependent partnerships. There is no question about what is ultimately fair here. We should not be talking about sex at all, any kind of sex. What we should be talking about is the relationships that occur between human beings. They may be of the same sex. They may be of the opposite sex. They may be a sister and sister or a brother and brother. They may be any kind of combination where after a while they have lived together and they have become emotionally dependent on one another. It is not just material dependency. It is that real emotional dependency that can occur in families.

• (1625)

In the case of the Citizenship Act, what I wanted to see there was a dependent partnership relationship occur where someone could adopt a child when he or she were serving overseas and have that child be treated as a dependent in a dependent relationship for the purposes of the Citizenship Act. However, we did not achieve that. Unfortunately, the government has said—and I have to accept it—that there are aspects of the dependent partner concept that it has not fully examined.

It is certainly true. We must be careful about plunging ahead with something that is really novel just in case we create problems for people to whom we had not intended. The justice minister has said—I do not know whether she has said it in the House but she has certainly said it on the side—that she is prepared to study this issue of dependent partners forthwith.

We have a bill that addresses a current problem, gets the court out of parliaments, settles the legitimate concerns of people who have same sex relationships and who have been denied the equivalent benefits and other opportunities of heterosexual people living outside marriage. We have solved that problem with this legislation.

However, this is only a beginning. It is an important beginning. What I like about it is that it is a beginning that actually began in this place, in this parliament, in a committee, at least for me, but I really do believe it is a beginning that began here among these MPs and the government has taken action. In that sense, I think the government should be congratulated.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Madam Speaker, I listened carefully to the hon. member's speech. I understand that he supports the bill, but that he would have appreciated a number of clarifications.

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This bill does not and cannot concern marriage. Some members of the Bloc Québécois and other parties find it regrettable, but it was the supreme court which asked the legislator to recognize homosexual relationships as conjugal relationships. This ruling was made in the *M. v H.* case, on May 20, 1999.

I want to ask the hon. member if he agrees with me that what is at issue now is the recognition of same sex spouses.

[*English*]

Mr. John Bryden: Madam Speaker, I actually think the bill is quite clear. As long as we keep before us the idea that something that exists in common law is a common law relationship because it is not marriage. In syntax and in grammatical sense, if it is common law it means that it is not marriage. Whether the common law relationship is same sex or heterosexual it does not matter. The final answer is that if it is common law it is not marriage. In fact, we may put it in another way. The bill creates a condition where if you are living in sin and getting benefits, it does not matter how you are living in sin.

Mr. Werner Schmidt (Kelowna, Ref.): Madam Speaker, I commend the hon. member who just spoke. He is one of those members on the opposite side of the House who actually makes sense every once in a while. I think that is very complimentary.

On the other hand, the hon. member seems to be very happy with the progress that has been made. He then goes on to say “I’m going to support this bill simply because there is a little bit of progress here”. The government has made a little bit of progress, but with that progress it may be creating all kinds of other problems that it has not anticipated.

The member does a compromise but has not studied the full problem, so now what is he creating? Does he know what he has? It seems to me that the hon. member should very carefully re-examine his position because it made such eminently good sense and then all of a sudden he said “I’m going to support this because we got something”. It is not enough.

• (1630)

Mr. John Bryden: Madam Speaker, the pressure was coming from the courts. Parliament simply had to act. I do not know about the members on the opposite side, but many of us on this side were getting very, very panicky because the supreme court and other levels of courts were more and more interfering or directing the definition of spouse, and not so much the definition of marriage. They were more and more inclining toward defining spouse as a same sex relationship.

What this bill does is that it cuts supreme court off at the pass. It stops the courts from defining a spouse or marriage in a way that the vast majority of Canadians would find unacceptable. However it is true that the bill does not go far enough. The reason it does not

fully explore the idea of dependent partnerships—and I have to take the minister at her word—is that she feels there are implications to dependent partnerships that may have adverse consequences.

On the one hand we solve a problem that is current, which is what we should do. We should fix the problem that is current, but as far as I am concerned this is only a interim fix. The real answer will be when we can extend this kind of thing to all dependent relationships and take sex out of it.

Mr. David Price (Compton—Stanstead, PC): Madam Speaker, I quite enjoyed the speech of the hon. member on the other side. I agreed with most of it. There are a couple of problems. The things I do not agree with are not part of the bill. We seem to be spending an awful lot of time talking about marriage and spouse. There is not a mention anywhere in the bill of these two words, yet the debate has continuously revolved around those words.

I agree with the member that it is up to the House to define marriage and spouse. That is what we should have done, but I am afraid it will have to be done in another bill. Does the hon. member agree that we spent an awful lot of time on this bill debating the wrong thing?

Mr. John Bryden: Madam Speaker, the reason why we are not debating spouse is because one of the things this bill does is take the word spouse out the various acts and legislation it affects and replaces the word spouse with common law partner. Spouse is very much a part of this legislation because it takes the word spouse out of all kinds of other laws.

No, I do not think we are debating the wrong thing. I have to go back to my original point. The only thing to me that is really missing in this legislation that I would have liked to see is changing the word conjugal to sexual. Let us be upfront about it. Let us put the proper definition of marriage in the bill and satisfy everyone’s fears.

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Madam Speaker, perseverance pays off.

I have trouble figuring out the member’s position. I must congratulate the member for Hochelaga—Maisonneuve, who guessed the member is going to support the bill.

The member started by saying that it was both a bad and a good bill, that he was against it, but that he would support it. He was against same sex couples being married, but he is willing to accept their staying together and being recognized. I really have trouble understanding the member, and people who are listening to us probably have the same problem as I have.

If the House recognizes same sex couples, it must give them the same benefits and obligations as heterosexual couples. If we give

them the same benefits and obligations, are we ready to recognize that a homosexual couple, a gay or a lesbian couple, can have a family and adopt children? What will happen when a homosexual couple applies for an international adoption? We know that heterosexual couples, a man and a woman, can adopt children internationally.

• (1635)

For example, a homosexual couple, two men, applies to China to adopt a little girl. The investigation will show they are both men, they have been living together for several years, they are working, they own a house, and have a good income. But will foreign countries be willing to give children up for adoption to homosexual couples?

[*English*]

Mr. John Bryden: Madam Speaker, I am quite prepared to say that homosexual couples could make good parents and that there are heterosexual couples who make bad parents. The difference between the common law relationship for same sex couples is that they still will not be able to adopt, in my view, but they will be subject to the discretion of the authorities.

However, married couples in my view should have the right to adopt. The danger with giving same sex couples the privilege of marriage is that in getting the legal status of marriage they might get the right to adopt children. I am not prepared to give them that right because if we give rights to one group we take rights from another. I am not sure that children, all things being equal, are better off under same sex parents as opposed to heterosexual parents.

However, nothing in this legislation so far as I can see, and I am not a specialist, precludes same sex couples from having the opportunity to adopt. The only difference is that the various authorities that carry out adoption procedures will have a certain amount of discretion that they might not ordinarily have with married couples.

The Acting Speaker (Ms. Thibeault): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Huron—Bruce, Elections Canada and the hon. member for Lambton—Kent—Middlesex, Agriculture.

[*Translation*]

I must advise the hon. members that from now on speeches will be 10 minutes and will not be followed by questions or comments.

Mr. Claude Bachand (Saint-Jean, BQ): Madam Speaker, I wanted to state a very interesting position on which I would have liked my colleagues to have the opportunity to question me, but I will leave it for third reading or for another life maybe, where I

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would be reincarnated as an homosexual. This is not the case for now, but I have absolutely no problem with the idea of two men or two women living together. I think that we should not confuse things.

The only thing I noticed in reading the documents provided to me by the research staff of the Bloc Québécois or the House is that a new definition of common law couples was being proposed, which would include same sex partners. This is an omnibus bill of a sort, which is designed to amend 68 acts.

I was listening to my colleagues who mentioned earlier the various forces and balances in our society. There are three recognized branches of government: the executive branch, the legislative branch and the judicial branch. Everybody knows that. I have often been among those who accused the Liberal federal government of lacking courage and letting others dictate its legislation, philosophy and parliamentary strategies. I often criticized it for modeling its policies on court decisions. But these things happen in society.

There are courts that can have a certain influence on this House. The executive branch always has the power to decide, and so does the legislative branch. The 301 members of the House are part of the legislative branch and will be able to express their views and vote on this issue.

There are also various organized groups, like the labour unions I belonged to for 20 years, which have a certain influence. Gay and lesbian groups too have a certain influence in this debate. That is only natural, since are directly affected by this issue.

• (1640)

I am one of those who feel that the time has now come to recognize those rights. Moreover, once again, broadminded Quebec has jumped the gun on the feds. Last year, Mrs. Goupil, the Quebec Minister of Justice, brought in amendments to 28 Quebec statutes in order to recognize this.

Returning to my union experience—20 years of it—I was a grievance officer. I negotiated public sector collective agreements. We were governed by certain laws and certain collective agreements. I was always greatly disturbed when contacted by gays or lesbians saying “I have lived with my partner for a number of years, but when I die, I cannot leave that partner any part of what I have earned here, working day in and day out, in this institution”.

I did not find that right. We tried to get the collective agreement changed, but we kept coming up against the statutes. When it came down to it, all these statutes told us that a common law spouse was not a same sex partner. I found that profoundly unfair.

This demands a certain openmindedness as well. I am no reactionary, not one to say that society is in a terrible way, that it will be all over within a hundred years because same sex unions are permitted. That is not what I think. A certain percentage of the

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population is this way, and I respect their point of view. I think the time has come to correct that.

Seventy-three per cent of the people share the same reasoning, which is not insignificant. We are all in politics here, and I am just as happy to be on the side of the 73% as against them. Mathematical and especially political reasoning hold that agreeing with the majority, and a very strong majority at that, offers a greater likelihood of popularity than if the reverse were true.

I am not saying that just in political terms. I was open to that and was totally in support of having same sex couples recognized as common law partners.

I will now speak to you as the Indian affairs critic. Since last week, native people have contacted me on a number of occasions. In the 68 laws that will be amended, there is the Indian Act and the Cree-Naskapi of Quebec Act. This act led to the James Bay agreement.

As usual, the people were not consulted. This is not the first time this has happened. From the first day the Europeans arrived in America, the native peoples were not consulted.

When the two founding peoples decided to draw up a Constitution—in 1867—the native peoples were left to their own devices. And yet these people were here and had rights.

Unfortunately they were not consulted and they should have been. I do not begrudge the official responsible for that a whole lot. The official is asked by the Department of Justice to make amendments and add new definitions to all the laws. He takes all the legislation he has before him and makes an amendment each time there is something to amend, in line with the desired policy.

I cannot blame the public servant, but the Minister of Indian Affairs and Northern Development should have known that this affected native peoples under his jurisdiction. Different concepts are involved. I have risen in the House on many occasions to make this point.

A white person will tend to mark boundaries and draw up deeds. It is not like that on the reserves. The reserves are often communal lands belonging to no one person; they belong to everyone. This can have repercussions for them.

Once again, the native peoples have not been consulted, just as they were not consulted about very important bills passed in this House even before our time.

In 1985, the government passed Bill C-31, which allowed aboriginal women to reclaim their status. Again, status is at issue. Prior to 1985, native women who married whites lost their status, as did all their offspring. However, a native man who married a white did not lose his rights.

• (1645)

The government saw that there was a problem and said that it would do something about it. But it did not consult any aboriginals, with the result that, when these negotiations were taking place, aboriginals warned that the budgets being considered would soon be inadequate if all the native women whose status was going to be recognized returned to the reserves. The government said that, first, it did not think that there would be many women who would go after their new status and, second, if they did, the budgets would be adjusted accordingly. Neither scenario materialized.

That is what happened. Many women returned to the reserve with their offspring, the budgets were not adjusted, and the aboriginal people found themselves with problems.

This is a change to the Indian Act and I might remind hon. members that the former incumbent, Ron Irwin, tried here in this House to bring in many changes to the Indian Act and was rebuffed. The aboriginal people did not want them. We need to understand why. It may be an old statute, but it is all that aboriginals on the reserve have. It is therefore important for them to be consulted before touching it. They are greatly concerned about this.

I will quote, in closing, Grand Chief Phil Fontaine, who said the following in a recent press release about his feelings on this bill “The federal government is unilaterally announcing changes to the Indian Act that will affect all our citizens in Canada. First nations governments had not received any advance notice as to the extent of the changes, their impact on our communities and the resources required to effect these changes”. This refers directly, by way of example, to what I have mentioned about Bill C-31.

Chief Fontaine concluded by saying “I am disappointed that neither the Minister of Indian Affairs or the Minister of Justice would give us the courtesy of a call to inform us of this legislative change, except for a notification letter, which contained no details sent to my office late in the day Thursday. I hope this is not the government’s new approach to first nations participation”.

I think we will have to listen to the native peoples. It is not too late, we are only at second reading of the bill, which will be referred to committee. I think that the native peoples have told me they wish to be heard. This will have to be given special attention.

With respect to the bill before us as a whole, I reiterate that I have no objection and that I will support it this evening, that I will try to have amendments made to reflect the very specific aspect of the aboriginal element, and that at third reading I will support this bill. Obviously, it will be a free vote this evening for us. I can say right off that I will support this bill. I think the time has come.

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Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, I welcome the opportunity to add my voice in support of Bill C-23.

As the Minister of Justice has already explained, there are powerful reasons to endorse the bill. Of all the arguments, I believe none is more compelling than the fact that ensuring equal treatment under the law should be a basic standard of a fair and just society.

Canadians have an unwavering faith in the values enshrined in our charter of rights and freedoms. We believe heart and soul that there should be no discrepancy between our words and our deeds. We are determined that our constitutionally guaranteed rights should be a daily fact of life for every woman and man in Canada. Equality before the law is the very foundation of our nation.

[Translation]

Mr. Gérard Asselin: Mr. Speaker, I rise on a point of order. This is certainly an excellent speech, one that I wish I could understand. Unfortunately, there is some problem with simultaneous interpretation.

[English]

The Acting Speaker (Mr. McClelland): That has probably filled the hon. member for Burlington full of confidence, because I thought her English was really good. We will give the interpreter a couple of seconds. The hon. member for Burlington will start where she left off.

- (1650)

Ms. Paddy Torsney: Mr. Speaker, I am happy to speak to the bill. This country has a long and enviable history of commitment to human rights, dignity and equal opportunity. This is not rhetoric; it is a reality of which every Canadian can be very proud.

The lives of gay and lesbian Canadians and the core values all Canadians hold dear are at stake if we continue to allow discrimination to exclude any group of Canadians. Bill C-23 reflects the Government of Canada's commitment to ensure that federal policies, social programs and laws reflect societal values and realities. This responsible, measured and practical legislation recognizes the indisputable fact that same sex common law couples in Canada are entitled to fair and equal treatment under the law.

In recognition of this reality, Bill C-23 will amend all relevant statutes to extend to same sex couples the same benefits and obligations that are available to common law opposite sex

partners. This legislation is the most responsible way to meet our constitutional obligations. It is also in keeping with the majority opinion in Canada. Public polling consistently finds that Canadians endorse the position that same sex partners should be accorded the same legal treatment as opposite sex common law couples.

In June 1999 Angus Reid found that 63% of Canadians believed that same sex couples should be entitled to the same benefits and obligations as unmarried common law couples. In another survey conducted a year earlier, 84% of Canadians agreed that same sex couples should be protected from discrimination. These numbers tell us that Canadians are far ahead of their elected representatives in recognizing the moral and legal necessity of amending federal laws.

As others have already pointed out, hundreds of businesses across the country already extend same sex benefits to their employees as does the federal government. Over 200 leading businesses in Canada, such as Bell Canada, Sears, IBM, the Toronto-Dominion Bank, the Bank of Montreal, Air Canada and Canadian Airlines, all consider it good policy to extend benefits to the same sex partners of their employees and they have done so for years. So too have 30 municipalities, 35 universities, countless hospitals, libraries and community and social service organizations.

Likewise, all but three provinces provide social benefits to same sex and opposite sex common law couples in their workforces. The three largest provinces, British Columbia, Ontario and Quebec, have recently introduced or have already implemented the necessary changes to bring their laws and policies and practices into line with today's social reality.

Canadians, courts and companies have acted to bring fairness to all citizens. Members of parliament must do the same. We have an opportunity to bring federal laws into line with Canadian values as reflected in the Canadian Charter of Rights and Freedoms and interpreted by the supreme court. We have an obligation to correct the shortcomings in our statutes, a duty to ensure they are constitutional and a responsibility to ensure fairness for all Canadians.

Much has been said in this House and during this debate about changes to the definition of marriage. Let me be very clear. There will be no change in the definition of marriage. A motion passed in this very House last year confirmed that marriage is the union between a man and a woman to the exclusion of all others. This will not change.

Importantly, the changes we are bringing forward confer benefits and obligations on same sex couples. For example, currently in married and common law relationships, the combined income of the man and woman are used to determine eligibility for the GST-HST credit. Same sex partners currently apply for the credit

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as unrelated individuals and perhaps in some instances even gain financially by doing so. In the interest of fairness, Bill C-23 will impose the same obligations on same sex partners as those of opposite sex common law partners.

Clearly, this is thoughtful, responsible legislation. It recognizes and reconciles our legal and moral obligations to ensure fairness and equality for all Canadians. It outlines obligations and benefits. Perhaps most important, Bill C-23 makes it clear that Canadians will no longer tolerate discrimination on any ground, including sexual orientation. It reaffirms our profound commitment to fairness and justice. This bill is truly a cause for celebration.

At the beginning of the 21st century all Canadians can put behind them the idea that gay and lesbian Canadians are less than equal citizens. With the passage of this legislation we can write a new chapter in the evolving story of this great nation, a story of equality and respect for all which our children and grandchildren will be proud to retell.

• (1655)

Generations of Canadians have worked hard to build a country where people of different beliefs, religions and race and ways of viewing the world can coexist and thrive together. Men and women across the country in communities from Gander to Victoria to Resolute Bay have come to recognize our diversity as a source of national strength, inspiration and pride. This legislation reflects those values and I hope all hon. members will support the bill.

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, I listened with interest to the member. I too would like to enter the debate on Bill C-23 to speak out on behalf of a minority group in the country, that group being Christians.

All of us must remember that every morning we start with a prayer in this place. The laws we have developed in this place are also developed because of our Christian heritage. I speak out on behalf of the traditions, society and foundations we have in Canada.

Bill C-23 was introduced in the House about 10 days ago. A number of people have phoned my office or written in by e-mail, by letter or have faxed me. I have letters from two well-known organizations, Focus on the Family and the Evangelical Fellowship of Canada which has several thousand members in Canada. They deserve to be heard in this debate because they believe, as I do, that the union of a man and a woman is something sacred in this country.

That is why the Parliament of Canada extended benefits in the first place. If we look back at the family allowance program, an old program which is no longer with us, the Government of Canada and

Parliament of Canada developed that program because the union of a man and a woman is very special. They procreate; they have children. The Government of Canada and the Parliament of Canada extended benefits to the family because there is a special status for that family and it is appropriate.

The recent booklet by Human Resources Development Canada, "Social Security in Canada: Background Facts", answers some questions. It states that our social safety net was intended to meet the needs of the traditional married family. The booklet states: "Much of our social security structure and our work arrangements were developed to meet the needs of the average Canadian household as it existed". It goes on to state that households consisted of two parents with two children. This was back in the fifties and sixties.

The intent of parliament when designing social benefits like the former family allowance program and current child tax benefit was to encourage and to protect the union of a man and a woman, and their children. Marriage was the key to that union.

Families are facing difficult times. Crippling taxation has been foisted on them by the last six or seven years of federal Liberal government mismanagement. Both parents are being forced to go out to work. Day care and child care expenses are escalating. There is a tremendous amount of pressure on the traditional family.

What has not changed is that marriage, the union of a heterosexual couple, is the backbone of Canadian society and the cornerstone of public policy because it is the only union that can procreate with the intent of caring for and raising children over the long term. It is not an institution that should be unilaterally changed by the courts, bureaucrats or the federal Liberal government.

• (1700)

As many of us know, effectively raising children requires a sustained expenditure of resources. It is to the benefit of all society that the next generation of children grows into healthy adults. Given the fact of married couples who are dedicated to raising children, the next generation requires continued support by parliament, by the 301 members of parliament to meet those children's needs.

Last June parliament directed the Liberal government to affirm the definition of marriage in legislation with wide support of the Reform Party motion. By introducing Bill C-23, however, the Liberals once again are ignoring the will of the Canadian people. Bill C-23 strips the institution of marriage of its unique public policy recognition. Not only does Bill C-23 fail to affirm the definition of marriage. It actually repeals the definition of marriage while it redefines terms such as related person and family. In many instances the term spouse is being replaced by the word survivor.

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Bill C-23 introduces a new concept of common law partner which is defined as a person cohabiting with another person in a conjugal relationship for a year. The legislation fails to precisely define conjugal but alludes to the fact that it is referring to sexual activity.

Our social benefits were created to support and sustain the unique institution of marriage and the rearing of children. Extending the benefits of a traditional married family to two people who happen to live together in a conjugal relationship for one year is unfair and creates inequality. Why? It is unfair because the Liberals have chosen to extend benefits based solely on the presence of sexual activity while completely ignoring the unique role of marriage and child rearing.

Bill C-23 creates inequality because it blatantly discriminates against other important relationships of dependency where no sexual activity occurs whatsoever. It is not uncommon for elderly siblings, for instance, to live together or a parent with adult children. In fact poll respondents who indicate acceptance of benefits going to same sex couples show a stronger degree of support for benefits going to any relationship of economic dependence.

The Liberal government has missed the mark on Bill C-23. Many Canadians are clearly telling the government that economic dependence, not sexual activity, should determine the benefits and entitlements. The Liberal government should be required to demonstrate a clear and compelling public interest for extending benefits based on one's sexual activity and not economic dependency. The Liberals cannot because there are no compelling reasons.

Bill C-23 is legislation that is being driven by the courts and not by the economic needs of individual Canadians. In fact I would argue that the Liberals do not care about the economic needs of Canadians one bit. Since 1993 the Liberals have increased taxes every year through bracket creep. They have cut transfer payments to the provinces. They have cut employment insurance. They have increased payroll taxes. They have refused to index income tax rates with inflation.

Because sexual activity is the sole criterion for determining who receives benefits and who does not, Canadian taxpayers are wondering how the government will know whether a couple is truly having a conjugal relationship. For the past month Canadians have witnessed how the Liberals have bungled the whole scheme of grants. Granting benefits based on something difficult to prove will create more havoc and abuse than Human Resources Development Canada or any other department.

Mr. Svend J. Robinson: What about a heterosexual couple?

Mr. Jim Hart: Mr. Speaker, I know the member from British Columbia is loud and proud. He is interrupting my speech, but I

believe a homosexual couple would be far more interested in seeing broad based tax cuts delivered by the government than the benefits that we are talking about today in Bill C-23.

I will wrap up my speech this afternoon by saying again that I speak today on behalf of a minority group, that minority group being Christians who feel that the legislature of the country has a responsibility to set aside and make laws based on the uniqueness of the marriage between a man and woman and extending benefits to make sure that family unit is protected and looked after by the federal government.

● (1705)

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, in the 10 minutes I am allotted I begin my remarks by acknowledging and thanking my government, the House leader and in particular the chief government whip for permitting me the opportunity to speak today. It is well known to them at least that I do not support the legislation as written and I am glad to have the opportunity to explain why.

I recognize that in the House most if not all members of parliament including myself have made up their minds. Most if not all the media has made up its mind on the issue and the courts appear to be making up their minds, so my remarks are addressed to my constituents.

I intend to reproduce these remarks in my spring householder. I want my constituents to know that I stand here today to represent their views as they have communicated them directly to me over the 11 years I have been a member of parliament.

I also speak today to those ordinary Canadians who may be listening and who have not yet made up their minds. I ask them to continue to listen to the debate carefully and objectively. I hope to some degree that I am speaking to future generations who may review these debates for historical or other reasons.

I cannot support the bill as written and therefore I cannot support it in principle. I will be moving amendments at report stage. If they do not pass I cannot support the bill at report stage or at third reading.

Why not? When I was discussing this issue with my colleagues, in particular with cabinet colleagues, I asked for three things before I could consider extending benefits beyond the benefits currently granted by the House. First, I asked for a definition of marriage to be enshrined in statute so as to protect it from judicial attack. I asked to extend the benefits based not on sexuality and sexual behaviour but on economic dependency. I also asked that there be full and complete debate in parliament including not invoking time allocation or closure.

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There is no definition of marriage in Bill C-23. There is no extension of benefits based on economic dependency and there is a stifling of debate by invoking time allocation.

In my view the bill is fatally flawed for the following reasons. It uses the term conjugal to include same sex relationships. This is, quite simply, incorrect. The ordinary meaning of the word conjugal in the English language is as follows: "Of marriage; the right of sexual intercourse with a spouse; of the mutual relation of husband and wife". To the question "why the word conjugal has been used to describe same sex couples" the justice department answers that the term conjugal has a meaning in law that is different from that in dictionaries. This also is simply incorrect.

What is the legal meaning of conjugal? It is:

Of or belonging to marriage or the married state; suitable or appropriate to the married state or to married persons; matrimonial; connubial.

The source of that definition is Black's Law Dictionary. As anyone who is listening will recognize, it has the same meaning as the definition in the English dictionary.

The justice department goes on to say that the term conjugal has been used for 40 years to refer to common law relationships. This is only half true. It has always, until very recently, referred solely to heterosexual partners in a common law marriage.

The meaning is now being expanded, first by activist judges such as those in the Court of Appeal of Ontario in the case of Rosenberg and in the Supreme Court of Canada in *M v H*, completely ignoring the contrary view stated by the very same Supreme Court of Canada in *Egan and Nesbit*. Therefore in my judgment and in my analysis there is a hidden agenda, namely to allow these same activist judges to eventually declare the current prohibition of marriages between same sex people to be unconstitutional.

• (1710)

On June 8, 1999, we passed a resolution in the House supported by the vast majority of my Liberal colleagues. I will only quote part of it, that parliament will take all necessary steps to preserve this definition. What definition? The definition of marriage.

I suggest this is a perfect opportunity to do what parliament has already voted on, that is to preserve the definition of marriage. How could it be done? Very simply by taking this omnibus bill which deals with 68 other statutes, adding the Marriage Act and including in the definition of marriage which the House agreed to in June 1999. According to the Minister of Justice there is no need to do this. If there is no need to do this then there is no harm in doing it, so why not put it in? On June 8, 1999, the Minister of Justice said in her speech:

The definition of marriage, which has been consistently applied in Canada comes from an 1866 British case which holds that marriage is "the union of one man and one woman to the exclusion of all others". That case and that definition are considered clear law by ordinary Canadians, by academics and by the courts.

That is simply not correct. She goes on to say that the Ontario Court, General Division, recently upheld in *Layland and Beaulne* the definition of marriage. That was a majority decision of the court. If the definition is as clear in law as the justice minister says, why was it not a unanimous decision of the Ontario court? In fact it was not. It was, as she states, a majority decision, a majority of two to one. Why? It was because one of the judges said that it was perfectly acceptable to have marriage between same sex partners.

If the law is as clear as the justice minister says, why was that decision two to one? Why were there academics who supported that position in the Ontario court if, as the justice minister says, all academics in Canada agree with that definition? In fact this is not the case and the definition of marriage is being challenged on a daily basis.

Why not put it in this statute to stifle any further question and to ensure that the will of the House as stated on June 8, 1999, is dealt with? It is because there is a hidden agenda to permit the courts to attack it.

I see I have one minute left. That does not give me nearly enough opportunity to discuss the other points, but I do want to mention the questionable poll the government is using. I say questionable because it is only mentioning parts of it. I have the poll here. Let me read the final question that was put forward.

It has been suggested that benefits and obligations should not depend on relationships like spouses but on any relationship of economic dependency where people are living together, such as elderly siblings living together or a parent and adult child living together, et cetera. Do you agree or disagree with this view?

Seventy-one per cent of Canadians agreed that benefits should be given on the basis of economic dependency in the government's own poll, not on the basis of whom a person is having sex with.

I say on behalf of my constituents, 86% of whom have clearly told me that they dispute and do not agree with the Supreme Court of Canada decision in *M v H*, that we should protect the definition of marriage. If we are to extend benefits, let us extend them to everyone in a position of economic dependency and not on the basis of what they do in the bedroom.

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Madam Speaker, the House of Commons deals with very many important issues that are fundamental to the lives of every citizen in Canada. There is no issue more important than the very basis of our society, our family and our family units. Any society in the world is no stronger than its smallest unit. Unfortunately legislation frequently chips

away at the ability of Canadians to organize themselves in a way to enhance their family unit.

• (1715)

Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, would amend 68 federal laws, affecting key departments and agencies. The bill creates a new term called common law partner, defined as a person cohabiting with another person of either sex in a conjugal relationship for a year. Probably the most massive flaw with this legislation is that the word conjugal is undefined.

The government wants us to believe that this bill merely gives same sex couples the same federal benefits as heterosexual couples. Mainstream news media parrot the same line. The definitions of spouse and marriage have been under aggressive attack for many years. The courts have asked politicians, elected by Canadians, to express the opinions of Canadians in law. In 1995, one member of the Supreme Court Canada, Mr. Justice La Forest, said:

The heterosexual relationship is firmly anchored in the biological and social realities that heterosexual couples have the unique ability to procreate. Most children are the products of these relationships, and they are generally cared for and nurtured by those who live in that relationship. In this sense, marriage is by nature heterosexual. It would be possible to legally define marriage to include homosexual couples, but this would not change the biological and social realities that underlie the traditional marriage.

In June 1998, in the wake of court actions chipping away at the definition of marriage, members of parliament voted 216 to 55 in support of a motion which stated that "marriage is and should remain the union of a man and one woman to the exclusion of all others and that parliament will take all necessary steps to preserve this definition of marriage in Canada". Bill C-23 violates both the letter and the spirit of that motion, in spite of the fact that it was passed overwhelmingly by members of parliament.

The justice minister stated during the debate: "We on this side of the House of Commons agree that the institution of marriage is a central and important institution in the lives of many Canadians. Indeed, worldwide it plays an important part in all society, second only to the fundamental importance of family".

As noted by the justice minister, every society in the world, whether based on religious or non-religious standards, holds the uniqueness of the heterosexual relationship and the family unit in a unique and special position. There are social benefits extended by every nation relating to the traditional family unit.

Going into the 21st century it must be recognized that there are many single parent families, sometimes based on choice, sometimes based on uncontrolled events. This is why Canadian society had decided, along with the rest of the world's nations, to extend special benefits to people in relationships that are similar to

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heterosexual traditional family units. Rightfully, those benefits are extended to single parents along with family units related by blood, marriage and adoption.

The justice minister has stated that she is proceeding with the legislation because the courts made her do it. Yet in 1995 Justice Gonthier said:

The courts must therefore be wary of second-guessing legislative social policy choices relating to the status, rights and obligations of marriage, a basic institution of our society and intimately related to its fundamental values.

The supreme court has not demanded or even hinted that it wants this widespread, sweeping power which eliminates the special status for heterosexual couples in marriage.

In the last eight years there has been an amazing erosion of legislative support for traditional marriage, and this in spite of the fact that there is overwhelming evidence showing the benefits of traditional marriage to children, adults and society. The government has eliminated any incentive under family law to marry. The erosion has been led by certain politicians.

For example, in 1994, when the member for Mississauga West was a provincial MPP in Ontario, he said this about similar Ontario legislation:

Some of us who are opposed to this bill find it difficult to accept the lecturing that seems to go that if you are opposed to the bill you are somehow opposed to democracy. I have just had it up to here with being called a racist or a bigot because I cannot accept the fact that the spouse is a member of the same sex. That is my right, indeed my responsibility. I have an obligation on the part of the people I represent and on the part of my family, from (the) heart, (to) speak my mind on this issue. I reject any attempt to try and muzzle people or try to intimidate us to try and paint this as some kind of human rights issue.

• (1720)

In a spectacular flip-flop the hon. member for Mississauga West this month stood in his place and made what amounted to a full retreat, wherein he labelled myself and other members of the Reform Party as he had been labelled six years ago. He attacks us in the way he had been attacked. What monumental hypocrisy.

The Liberal House leader, who is ramming this legislation through the House today, in 1994 said:

I object to any suggestion that would have homosexual couples treated the same way as heterosexual couples. Although I will fight against any form of discrimination whether it is on the basis of race, sex, religion or other, I do not believe homosexuals should be treated as families.

This was the government House leader speaking six years ago. He continued:

My wife Maryanne and I do not claim we are homosexual. Why should homosexuals pretend they form a family?

Five and a half years later, as House leader, he is the enforcer of the Prime Minister's iron fist to all Liberal backbenchers that they support this motion.

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Specifically to the case of benefits, when the current health minister was Minister of Justice in 1996 he said:

—that in the year since March 1994 the Supreme Court of Canada decided the case of Egan and Nesbit. It decided that notwithstanding that sexual orientation is a ground within section 15 of the charter on which discrimination is prohibited, the benefits do not automatically flow; so much for logic and that is the law.

Four years ago the Liberal Government of Canada clearly stated that it did not support an extension to same sex partners of pension benefits and other benefits, yet here we are today with the government speeding legislation through the House of Commons which will do exactly that.

The protection of the traditional family unit is so important to our society that the definition of marriage must be protected by legislation. The spectacular flip-flops of Liberal cabinet ministers and backbenchers now that they are in power cries out for consistent legislation and specific direction for our courts.

This is fundamental to the lives of every citizen in Canada. In spite of the feel good, fuzzy reasoning by Liberal backbenchers today, the effect of this bill is to depreciate the unique value and special meaning of marriage in Canada. Any society in the world is no stronger than its smallest unit, the family. Bill C-23 not only undercuts marriage and the family, it is just plain bad law.

[*Translation*]

Hon. Hedy Fry (Secretary of State (Multiculturalism) (Status of Women), Lib.): Madam Speaker, this omnibus bill is a major step toward equality, since it seeks to correct the inequalities based on sexual orientation.

[*English*]

This omnibus bill to modernize benefits and obligations is legislation whose time has come. It is legislation that speaks very clearly to the issue of equality.

Within our country the issue of equality is carried forth in our charter of rights and freedoms. It is brought forward in our Canadian Human Rights Act. It is served by issues such as employment equity, the Canadian Multiculturalism Act, citizenship and immigration. There are many acts and pieces of legislation in this country which deal with the issue of inequality.

We have identified over the years that there are very different ways in which inequality can occur. There are many barriers. People say it is due to various reasons, most of which are about differences. We have shown very clearly, the courts have shown very clearly and we have seen through the knowledge of people, communities and the manner in which they live that there is in fact inequality in this country based on sexual orientation.

I was a physician for 23 years. In practising medicine I saw firsthand the destruction and damage that discrimination causes,

especially to persons whose sexual orientation is different from the mainstream. The simple right to call themselves a family we have heard over and over again being denigrated by Reform members across the way.

I have heard Reformers say that benefits and obligations have to do only with family and that has to do only with children. I am here to tell the Reform Party that there are gay and lesbian couples who actually have children. I know it is a shock to members across the way, but they actually have children from previous marriages or children whom they have adopted.

• (1725)

The issue of children and families has to do with a unit, as the last member who spoke said; a unit that is loving and supportive, a unit that cares for and raises children. We know that gay and lesbian couples do this. If it is about children, then the bill is doing exactly the right thing, ensuring that persons with children have equal benefits and obligations.

I have also heard Reform members suggest that this is not about children at all, that this is really about sex and who has sex, and that the term conjugal means sex and only sex. The term conjugal in the dictionary is about sex. Under the law there are many criteria which are used to define a conjugal relationship. Sex is only one of them.

I am told that by bringing forward the bill we will suddenly be going into the bedrooms of the nation. We never have before concerning the issue of married couples. I do not know if all married couples have sex. Should we be questioning them and then deny them benefits and obligations based on their ability to have or wish to have sex? We have not done that.

Forty years ago when we brought heterosexual common law couples into legislation we did not ask a question about sex. Why do we suddenly have to ask a question about sex now? Are we not applying a very different set of rules? Is applying a very different set of rules and a very different set of criteria not exactly what discrimination is about? How is it that this issue becomes one of importance?

On the issue of rights and obligations, we are able to ensure that homosexual couples who have lived together and have told the world so by the way they behave toward each other enjoy the same benefits as heterosexual common law couples. They have bought homes together. They have lived together as faithful couples for many years. Are we saying that because of differences, because they are the same sex and not heterosexual, they do not deserve the rights and obligations of others when they have committed to each other in a relationship?

This omnibus legislation is not only about rights; it also speaks to obligation. When a couple commits to a conjugal relationship that couple takes on the obligation to support each other. If the

couple separates, there is a mechanism and a process by which the individuals can continue to support each other, whether financially or through the division of property. This speaks to the obligation of people who have made a commitment to each other.

Members of the opposition have brought in the red herring of other dependent relationships, saying that if two sisters live together this should be so, and if a parent and a child live together this should be so.

One member said that we do not know if the people involved in those relationships wish to accept the obligation. If they should separate, if the child should leave the parent, will the child be legally responsible to that parent later on, to support the parent or divide assets or whatever? We do not know enough about those kinds of relationships to decide whether we can apply the same legislation to them. There is time to do that. There is time to discuss it. Many of these issues involve provincial jurisdiction. We will talk with the provinces. We will look at the impact. We will look at whether people in other relationships wish to have the obligations as well as the benefits.

The truth is that we have discriminated against couples who have identified themselves as living in conjugal relationships purely and simply because of one reason: they are not heterosexual.

The government has gone a great distance since it came to power in 1993. It has moved the equality agenda forward by amending the Canadian Human Rights Act to add sexual orientation as a prohibited grounds for discrimination. It has added sexual orientation to hate crimes legislation. It has moved for Treasury Board to apply health benefits and dental benefits to same sex couples. It has moved forward recently in a Treasury Board bill to ensure pensions for same sex couples. This is just a logical extension. Regardless, the supreme court and various human rights commissions across the country have told us very clearly that we have discriminated, in fact and in law, against same sex couples. We have moved to change that. It is not only that the supreme court has told us that. It is that this is a progression of things we started in 1993.

• (1730)

This is about equality and about fairness. With my hat as Secretary of State for the Status of Women, equality and fairness is what I am bound to try to achieve for all women in Canada, whether they be women of colour, whether they be women of different religions, whether they be lesbians. There have been enough surveys done in my department that show there has been a great deal of discrimination against lesbians.

It is easy to stand across the way and say that one speaks on behalf of various minorities. One has to live in a minority to understand what it means to be discriminated against. There are same sex couples who, when they apply for a job, have had to hide

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the fact that they are in a same sex relationship. Persons have had to hide the fact that they were gay or lesbian because they would not be allowed to work as teachers, or nurses, or in various areas where they would have to come into contact with the public.

That is discrimination. It affects where they work, which is a fundamental human right, where they play, whom they love, how they love and where they love.

These are the kinds of things that we are bound to achieve in this government. We are committed to defending the human rights, les droits de la personne. We are committed to ensuring that all Canadians, whether they look like the majority, whether they sound like the majority because of linguistic differences or whether they love like the majority, will not be discriminated against. This is very clearly what this is about. It is not some sort of hidden agenda. It is very clear.

For anyone who wishes to look at human rights, who espouses the dignity of the individual and the right of children and families to grow up together regardless of the colour, race, religion and sexual orientation of their parents, know that everyone must have the right to bind together as a unit in society.

I have heard no one across the way asking if it was appropriate for gays and lesbians to pay taxes or to pay into the various premium plans we have to pay into to get the benefits that they do not get. They have been allowed to pay. They are considered to be equal in payment. Let us now allow them to be equal in achieving the benefits that we all have.

[*Translation*]

Mr. Maurice Dumas (Argenteuil—Papineau—Mirabel, BQ): Madam Speaker, I am pleased to address Bill C-23, the Modernization of Benefits and Obligations Act, which I fully support.

This omnibus bill, introduced on February 11, 2000, essentially seeks, for reasons of equity, to modernize certain benefit and obligation plans. The bill guarantees that common law partners, whether same sex or opposite sex, will be treated equally before the law.

As my colleague from Burnaby—Douglas mentioned, the road to full equality for gays and lesbians has been long and often hard and chaotic, as I am sure the member for Hochelaga—Maison-neuve will agree.

The proposed changes will ensure, in accordance with the May 1999 supreme court decision in *M v H*, that same sex common law couples have the same benefits and obligations as opposite sex common law couples, and the same access to social benefit programs they have contributed to as other Canadian couples.

Co-sponsored by the Minister of Justice, the Minister of Finance, the President of the Treasury Board, the Minister of Human Resources Development and the Minister of Citizenship and

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Immigration, the bill involves 20 departments and agencies. The Income Tax Act, the Canada Pension Plan, the Criminal Code, and the Old Age Security Act, among others, will be amended.

It was in 1979 that the Canadian Human Rights Commission recommended for the first time that sexual orientation become a prohibited ground of discrimination under the Canadian Human Rights Act.

• (1735)

In August 1992, the impact of the charter on the Canadian Human Rights Act was confirmed by the Ontario Court of Appeal in *Haig v Canada*.

The Ontario Court of Appeal maintained the lower court's decision that the absence of sexual orientation from the list of prohibited grounds of discrimination in section 3 of the Canadian Human Rights Act was in violation of section 15 of the charter.

Quebec was the first province to include sexual orientation in the list of prohibited grounds of discrimination when it amended its Charter of Human Rights and Freedoms in 1977. I would also like to mention the work of the national organization for equal rights called *Egale—Equality for Gays and Lesbians Everywhere*—that was very pleased with the introduction of Bill C-23 in the House of Commons.

Kim Vance and John Fisher, both leaders of the national group *Egale*, thought it was a historic day for their community. In fact, I was guest speaker at the group's last convention and I encouraged the members to continue their work to eliminate all forms of discrimination against gays and lesbians.

I also want to quote an article by Murray Maltais published in *Le Droit* on February 17, 2000. He wrote "This is an issue of law, not of morals". I might add that this is not an issue of religion either.

In another article published in *Le Devoir*, on February 16, 2000, Alain-Robert Nadeau had this to say about Bill C-23:

This is why this legislative measure by parliament, like that of the Quebec National Assembly, seems to go against the tradition of openness and tolerance which characterizes Canadian society. Even in the United States, where liberalism is definitely not a main trait of society, some presidential candidates—namely John McCain—feel that Americans would be ready to elect a homosexual president.

We need to remember that interracial marriages were illegal until the United States Supreme Court brought down its decision in *Loving v. Virginia* in 1967. In Canada, until the positive intervention of Pierre Elliott Trudeau, homosexuality constituted a criminal act. In this case, let us render unto Caesar the things that are Caesar's.

What is more, the states of California and Hawaii also give partial recognition to unions between persons of the same sex.

Every year, complaints are filed with human rights commissions on the federal or provincial level concerning discrimination toward homosexuals relating to hiring, firing and treatment in the workplace. This and other evidence points to discrimination against homosexuals. Sexual orientation is, unfortunately, a rarely mentioned factor in suicide.

Studies reveal that young people, both male and female, who are homosexual are two to three times more likely than other young people to commit suicide. More than three-quarters of these give as the main reason for their suicide attempt the conflicts arising out of their sexual orientation. This is a clear demonstration of the negative environment in which homosexuals have to live and grow up.

In conclusion, I wish to repeat what I said in the beginning about the committed contribution by the hon. members for Hochelaga—Maisonneuve and Burnaby—Douglas to defending the gay and lesbian minority and I call upon the hon. members of this House to show their support to Bill C-23.

[English]

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Madam Speaker, I am pleased to have this opportunity, albeit at the very last moment given the motion of closure on the part of the government, to participate in the discussion on Bill C-23.

• (1740)

It is interesting that in the time I have been listening to the debate there has been a lot of discussion about sex and marriage. It seems to me that is not really the main essence of the bill we have before us today. I am probably speaking on behalf of most colleagues in the House here today when I say that we are probably the last people in Canada who should be talking with any kind of authority about sex and marriage.

Goodness knows, we are in Ottawa all week and our partners are back in the riding. We get home after a crazy week and are pursued by a 101 constituents. Some of us have kids who want to see us. Who has time for sex?

The point of my introduction is to simply draw us back to the purpose of the bill. It is not about sex and marriage. The bill deals with a very fundamental question: the pursuit of full equality for all people in our society today regardless of sexual orientation.

Let us not be detracted by some of the comments made by the Reform Party and some of the misgivings of the Liberal backbenchers about what is at hand here.

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I am pleased to join my colleagues in the New Democratic Party in supporting Bill C-23. I add my congratulations to the Liberal government for finally bringing in legislation that was long overdue and will meet our obligations as a country.

I pay a special tribute to the member for Burnaby—Douglas who has probably done more than anyone in the history of the country to pursue the goal of full equality for gay and lesbian people and to ensure that the values of Canadians around full equality, justice and fairness were fully enshrined in the laws of this land. There are many people to whom I could pay tribute, but I wanted to single out the unswerving and dedicated work of the member for Burnaby—Douglas.

The bill is about equality, justice and fairness. It is about meeting our obligations. It is a long overdue measure to make operational the principle of equality for all people regardless of sexual orientation as articulated in the Canadian Charter of Rights and Freedoms, the Canadian Human Rights Act, in numerous provincial statutes, in various court decisions and particularly by the Supreme Court of Canada in the spring of 1999, the highest court in the land, which ruled on this very issue.

As we said earlier today, this is a housekeeping bill. It brings us up to date with the laws of the land. It puts into practice the values of Canadians from coast to coast. The legislation represents a basic democratic right of Canadians. It prohibits discrimination on the basis of sexual orientation. It takes us a step closer to the goal of full equality for all gay and lesbian people.

In reference to some of the comments I heard today from Reform members, the bill captures the true meaning of family, not as some artificial construct based on some idyllic view of the past that never was, based on some norms of a previous society, based on various interpretations in the Bible or based on cultural conditioning that has permeated every aspect of our society today, but a definition of family that keeps pace with society, that captures the very fundamental issues that we are dealing with: loving relationships, safe and nurturing environments and a commitment to ensure the well-being of all members of the family unit.

I was taken aback by the comments of the Reform Party today. Many times when we have had these debates the Reform members have shown their feelings on this issue in a rather veiled attempt, focusing on the intricacies of a bill rather than exposing their feelings on sexual orientation. What we have heard today from the Reform Party and some Liberal backbenchers is just how far we must go as a society in recognizing equality of all people regardless of sexual orientation.

• (1745)

I could not help but go back to some of the writings of the Vanier Institute of the Family. It has written so many articles and has

spoken so well about the family. I want to put on record a quotation from an article by Suanne Kelman from the winter 1999 edition of *Transition*. She said, “I think what we can learn from the past is that we should ignore the hysteria many critics bring to the discussion of family life today. We are not going to find perfect answers for every family but that fact should not stop us from grappling with the realities facing us. If we can recognize the impossibility of returning to a past we never had, we can get going, cheerfully, intelligently and compassionately on improving the future”.

That is what we are doing today. We are clearly moving forward intelligently and compassionately on a notion of family that is rooted in the fundamentals of companionship and friendship, love and nurturing, caring and concern. That is the essence of this bill. That is why it is important we move forward and recognize the need to ensure that those values are enshrined in every law of the land.

Today it is clear to me more than ever that there are those who fundamentally oppose the notion of recognizing people who are homosexual. I appreciate there are differences that we still have to address. I hope that the Reform Party does not try to take us back to an age when people are not recognized for their individual talents and contributions which they can make to our society today.

The debate we are having today in many ways reminds me of the debate we had in the spring of 1998. The Reform Party brought in its motion pertaining to the Rosenberg decision in the Ontario court and presented us with what we all considered to be a most regrettable situation. It was clearly seen to be a thinly veiled attempt to promote and endorse discrimination on the basis of sexual orientation. That is being repeated today and I am very worried about it.

I would hope that on entering this millennium we would be looking at some very fundamental values that have to be upheld and supported in every law over which we have authority and every practice and program that we are responsible for. I hope we can move forward with a clear understanding of what this bill is all about and why it is so important for the fabric of Canadian society.

I will conclude my remarks by quoting from an article written by Helen Fallding which appeared in the *Winnipeg Free Press* on February 16. In her article, “A Valentine for the Minister”, Helen congratulated the government for bringing forward this legislation and recognizing the reality in terms of this legislation.

I will not quote the article directly because that would mean mentioning the minister’s name. Helen said that if the Minister of Justice “manages to sneak the new bill passed Liberal backbenchers and Reform Party opponents, Lisa”—her partner—“and I will receive the same treatment from federal government departments

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as common law couples". She went on to say, "Each year when I make my RRSP contribution, I pray that the federal government will stop its discriminatory practices before one of us dies. If I died tomorrow, Lisa would have to pay taxes on my RRSP savings, instead of having them roll over into her account as they do for heterosexual widows". She concluded by saying that this "is not really about money for me. It is about finally getting to feel like a Canadian citizen. It is about having my country acknowledge the mutual support and commitment partners like Lisa and I offer each other. Ultimately it is about love".

I hope we will all support this bill and get on with the important work ahead of us.

Mr. Mac Harb (Ottawa Centre, Lib.): Madam Speaker, it gives me great pleasure to stand in the House to support the government initiative. It is the right initiative and has been introduced at the right time. We should not have had to wait until the supreme court told us to do what we have done but the mere fact that we have done it is to be commended. This showed leadership on the part of the government and on the part of the minister in moving forward with this issue.

• (1750)

Some of my colleagues wonder about the pros and cons of this bill. The bottom line is that we are not the first ones to come out of the gate. A number of provinces have already introduced legislation to extend benefits to same sex partners or opposite sex partners who live in common law relationships. In excess of 200 private sector companies already have measures, laws or directives on their books that extend benefits to those who live in common law relationships or same sex relationships.

I have received a number of letters from those who are for and those who are opposed. Concerning those who are opposed, there is much misinformation coming out. One of the key concerns those opposed seem to have is that this legislation will destroy the institution of marriage between a man and a woman. In fairness, this bill does not do that at all. The institution remains as it stands now, which is a relationship or a contract between a man and a woman.

This legislation merely moves forward what has been a fact for a long time in our society. It also sets the beginning of a long process for the government and for society to address many of the issues that have been on people's minds for a very long time.

I like the commitment the government has shown in addressing the whole notion of what a dependant is. This is to be commended because the issue deserves further study. For example, should a woman or a man identify his or her mother or father as a dependant if the two live in the same environment? For a father and a son, or a father and a daughter who live under the same roof, should the law recognize and provide benefits the same as this legislation does?

On the surface, I would say of course. A single person who supports a family member whether it is a brother, sister, mother or child, should be allowed to designate that person as a dependant and therefore benefits should be given to that person.

When we talk about extending benefits, extending rights, we also have to talk about extending obligations. In legislation every time we extend or advance one issue, there are all of the good things that go with it in terms of benefits, but other things go along with it as well which are the obligations. That is exactly what this bill does. It provides people who live in common law relationships or in same sex relationships similar benefits and obligations as those provided to others who live in the same sort of circumstances.

It is unequivocally clear that Canadians wanted the government to act on this issue. A 1998 poll by Angus Reid showed that the majority of Canadians, more than two to one, in every region of Canada favoured legislation that introduced benefits to those who live in common law or same sex relationships.

• (1755)

The court itself has told us as a society and as a government that it is time to put in law what has been a fact of life for many years. It already has been implemented by many people in the private sector, as well as some provincial governments.

Quebec, British Columbia and Ontario have changed their legislation or they are in the process of reviewing their laws to extend those benefits. We are not alone. We are moving collectively with other governments to ensure that we put into law what should have been put in place quite some time ago.

There are those who are concerned about adoption by people in same sex relationships and also the whole issue of immigration and so on. The legislation does not change anything. Canadian law will remain the same on those issues.

Government must take a leadership role. Sometimes it has to take leadership on tough issues. In this situation not only is the government doing what is right, but it is doing what the people want it to do and what the courts have told the government to do.

This should be a non-partisan issue. Members on both sides of the House should be applauding. The Canadian Charter of Rights and Freedoms provides every citizen with equal rights and a chance to access justice.

We recommend that our colleagues on the other side of the House applaud the government and move on with the legislation. At the same time our government has already made a commitment to study further the issue of extending benefits to people who have dependants who rely on them, whether it is a mother, a brother, a sister, a father and so on.

I have a personal interest in the bill and I would like to see it pass quickly. I have a daughter and I am not married. My daughter is

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dependent on me. I am very interested in the Government of Canada studying this situation further. Possibly it will be feasible and acceptable at some point in time to address the whole notion of allowing an individual to declare another individual as a dependant should that be the case. To say that I have to block any movement by the government until such a time as this whole issue is addressed would be foolish and not responsible.

We have to take what we already have as a consensus in society, implement it and entrench it in law. The next phase would be to study the other issues of dependency. People like myself, many of my colleagues and others in society would have a chance to make their case before the government, a committee of the House of Commons or their members of parliament. Surely if the economic situation in Canada continues to improve further, we would come to a point where we would not even need to discuss those issues. It would be irrelevant because we would be able to afford to do what everyone wanted us to do.

To that extent, I support the bill. I hope my colleagues on both sides of the House will support it.

• (1800)

Mr. David Price (Compton—Stanstead, PC): Madam Speaker, I am pleased to speak to Bill C-23, the modernization of benefits and obligations act. I support this piece of legislation and I am happy that as a member of parliament I have the opportunity to outline my reasons, although it is just under the wire with closure.

The bill is not attempting to change anyone's beliefs. It is not trying to impose a moral structure on society. This piece of legislation is striving to address a financial inequality in Canada. Federal benefits and obligations for same sex couples will be on equal footing with those of heterosexual common law couples. As the courts have ruled, they should be.

The courts have said that it is unconstitutional for same sex couples to be treated differently than heterosexual ones when it comes to benefits and obligations. Since 1995 sexual orientation has fallen under section 7 of the Canadian Charter of Rights and Freedoms. The bill has that very much in mind and will ensure justice and fairness for same sex couples.

Marriage will not change after the bill is given royal assent. Marriage has traditionally been the union of one man and one woman. That remains unchanged in the bill. Further, the bill is non-religious and does not attempt to change or alter anyone's beliefs.

I do not have a problem with the bill per se, but I do have reservations, several for that matter. My reservations have to do with the timing of the legislation. The fact that it was tabled on

February 11 was no accident. The timing is part of an orchestrated plan of the Liberals. Allow me to explain.

The Prime Minister and other members of cabinet stand in the House on a regular basis and vent about how strong the economy is. The unemployment rate is at its lowest rate in years, they say. The deficit is eliminated, so we are told. Interest rates are low. Inflation is a thing of the past. Parts of the economy are thriving, not because of Liberal policies but due to policies of the previous government.

In any case, not all is well in our glorious land. Health care is sorely underfunded. Our refugee and immigration systems are broken and in need of repair. We hear daily about the problems at HRDC. Any government would want the public to forget about a billion dollar boondoggle.

The Prime Minister was first elected to the House in 1963. He was present in the House when gay rights were debated and he knows full well the ire, emotion and controversy that such a discussion entails among Canadians. He was present in the House, for example, in 1969 when homosexual acts between consenting adults were decriminalized.

The legislation is introduced at this time not because of a genuine desire for fairness and equality by the Liberals, not because of a desire to uphold a supreme court ruling, but rather to deflect public scrutiny from other governmental issues. What better way to do that than to introduce legislation guaranteeing rights for gays and lesbians?

We live in a liberal democracy where the rights of everyone are respected and upheld. That is the purpose of the bill, but it is shameful that the government is introducing it now when there are other pressing issues like HRDC, health care, education, immigration and national defence. It is sad that the government uses such an important issue as equality to deflect attention from government controversies. It is also sad that the government again uses time allocation to stifle debate.

Many hon. members have talked about marriage and spouse. The bill has no reference to marriage or spouse. It is a technical bill dealing with economic and legal rights. I agree with other hon. members that the bill should have been clearer about the definitions of marriage and spouse, the union between a man and a woman to the exclusion of all others.

Another issue that is not dealt with is economic dependency. We are missing the boat. We all know family members or friends who have to live together to survive. Why were these items not dealt with? What was the rush?

• (1805)

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Madam Speaker, I am pleased to rise to speak to Bill C-23. I agree with my hon.

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Tory colleague who just spoke when he asked what was the rush. We have missed an opportunity to do a couple of things the government neglected to do.

First and foremost, on June 8, 1999, parliament passed a motion that we should affirm the definition of marriage in legislation. There is not a more perfect opportunity to do that than right now. Whether in this bill or in another, this is when it should have been done.

I have heard members of the NDP, including the member for Winnipeg North Centre, mention the Reform Party. It was almost every 10th word in her speech. I state on the record right now that my colleagues and I are not opposed to making sure that people are treated equally and fairly, including people of co-dependence, heterosexual and homosexual. That is what we want to try to do. They should be getting benefits but the bill does not do that.

The bill is based on sexuality. All the way through it, it says that relationships must be conjugal. How is that defined? What does it mean? One of the two biggest issues with the bill is the definition of marriage. Parliament sent a very clear signal, as did Canadians, that marriage needs to be defined in legislation. The federal government has been remiss. That has been completely overlooked. The bill is being rammed through for a whole host of reasons. People try to paint us as being against equality, that we do not support it. That is absolute nonsense.

The member for Edmonton Southwest put forward a very good solution in registered domestic partnerships. It may need fine-tuning but I applaud him for it. Not everyone in my caucus would completely agree with him but he had a lot of support. He put forward a solution wherein we could define marriage and benefits could have been paid out but not on the basis of sex as the bill does. Let us not make any mistake or have any illusions about what it is.

The member for Miramichi said on June 2, the the days leading up to the definition of marriage, that anything based upon sex was the poorest way to define a relationship whether it be the same sex or the other sex. I could not agree more. That is my frustration. Some people are trying to suggest that we do not want to see equality. That is not true at all.

There are many things the government should have done but it did not. It missed the most fundamental task that parliament directed it to do. That is what frustrates me. I absolutely believe in no uncertain terms that marriage is between a man and a woman. It is not between two men as some people would like to suggest and have argued for. Marriage is between a man and a woman, and that is all it can be. A very clear signal could have been sent by defining that in legislation, but the government did not do it.

I am not so sure I have confidence in the government when it obviously leaves something out that was so easy to include. What is

its underlining motive? I ask that after being a member of parliament since 1997 and watching what goes on in the House.

There are many more important issues that need to be dealt with right now. We have seen what is going on in HRDC, which is absolutely scandalous and is throughout many other departments. What does that have to do with this legislation? It is very important. It deals with the money of all taxpayers. I have not seen one word of legislation to deal with the problem that arose last fall.

• (1810)

There are problems in justice and in immigration. We saw the problem with migrants. We are hurting genuine immigrants who are applying to come here through proper channels and refugees who have a legitimate claim to come to here like people from Kosovo, East Timor and such places who are absolutely blocked. Have we seen any legislation to deal with those problems? We are on the eve of another season of migrants coming in and there is not one word in legislation. The Minister of Justice tabled Bill C-23 when there are many other pressing issues for Canadians.

We have backlogs in the courts. Things could be done to speed up the process and ensure that people are getting justice. We could ensure that victims are getting due process in relation to criminal charges and that they are protected.

There is the area of sexual predators abusing young children. Once they are released into society it is paramount that we make sure that our children are safe. Have we seen legislation brought forward? I think there has been a little in that area, but have we seen it passed? No. So much could have been done, but government for whatever reason has introduced a bill that was not done very well at all. That is why I will vote against it. We have missed an opportunity. The bill will be open to challenges because it was not done well.

Other solutions could have been put forward, but the government has missed an opportunity to define marriage although it was directed to do so by the Parliament of Canada. I appreciate that it was an opposition supply day motion but it was passed by parliament. Does it take parliament seriously or not? Or, is it just shuffled under the rug? That is why I have to question its sincerity about the bill and its underlying motive. Why did it do that? Why would we trust anything it wants us to do? Government members stand and say it is about equality, but many other relationships are not included.

My concern is the record of the government. I would be the first to stand and vote in favour of a bill that gives benefits to all Canadians without discrimination. There are other relationships that may not be conjugal, that may not involve sex. Why should they not be entitled to the same benefits?

A member talked about RRSP contributions and about what happens if one dies. I know two friends who are not in a sexual relationship. Should they not be able to have these same benefits?

Of course they should. Why should they not? I personally know people who have been in relationships for 20 or 30 years where there is absolutely no conjugal or sexual relationship but they are very much dependent on it.

I know of another example of a priest in Chilliwack who resides with another person. They share a car. They are very dependent on each other and have been for years and years, but they are not in any conjugal relationship. They would not qualify under the bill. That is discriminating against them.

In summary, the government has missed a real opportunity to define marriage as instructed by parliament. It has failed in that regard. That is where I have to question what are its real motives. I believe in equality for all Canadians. I would be the first to stand here and say it. Again I commend the member for Edmonton Southwest for putting forward a positive solution which government ignored. That solution would have been far better than Bill C-23. I will have to vote against the bill.

The Acting Speaker (Ms. Thibeault): It being 6.15 p.m., pursuant to order made earlier today, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the second reading stage of the bill now before the House.

Call in the members.

• (1845)

[*Translation*]

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

(*Division No. 688*)

YEAS

Members

Adams	Alarie
Alcock	Anderson
Augustine	Axworthy
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Baker	Bakopanos
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Bergeron
Bertrand	Bigras
Blaikie	Blondin-Andrew
Bonwick	Borotsik
Boudria	Bradshaw
Brisson	Brown
Bryden	Bulte
Byrne	Caplan
Carroll	Casey
Catterall	Cauchon
Chamberlain	Chan
Charbonneau	Chrétien (Saint-Maurice)
Clouthier	Coderre
Collenette	Comuzzi
Cotler	Crête
Cullen	de Savoye
Debien	Desjarlais
DeVillers	Dhaliwal
Dion	Dromisky
Drouin	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Duceppe	Duhamel

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Dumas	Eggleton
Finlay	Folco
Fontana	Fournier
Fry	Gagliano
Gagnon	Galloway
Girard-Bujold	Godfrey
Godin (Acadie—Bathurst)	Godin (Châteauguay)
Graham	Gray (Windsor West)
Grose	Guarnieri
Guay	Guimond
Harb	Harvard
Harvey	Ianno
Jackson	Jennings
Jordan	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Lalonde	Lastewka
Lee	Limoges
Loubier	MacAulay
MacKay (Pictou—Antigonish—Guysborough)	Mahoney
Malhi	Maloney
Manley	Marceau
Marchand	Marleau
Martin (LaSalle—Émard)	Matthews
McCormick	McDonough
McGuire	McLellan (Edmonton West)
McWhinney	Ménard
Mifflin	Minna
Mitchell	Muise
Murray	Myers
Nault	Normand
Pagtakhan	Paradis
Parrish	Patry
Peterson	Pettigrew
Phinney	Picard (Drummond)
Pickard (Chatham—Kent Essex)	Plamondon
Price	Proud
Proulx	Redman
Reed	Richardson
Robillard	Robinson
Rock	Saada
Sauvageau	Scott (Fredericton)
Sgro	Speller
St. Denis	St-Hilaire
St-Jacques	Stewart (Brant)
Stewart (Northumberland)	Szabo
Telegdi	Thibeault
Torsney	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Mitis)	Turp
Valeri	Vanclief
Vautour	Wasylcia-Leis
Whelan	Wood —160

NAYS

Members

Abbott	Ablonczy
Asselin	Bailey
Bernier (Tobique—Mactaquac)	Bonin
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Calder	Canuel
Cardin	Casson
Chatters	Chrétien (Frontenac—Mégantic)
Desrochers	Doyle
Epp	Gilmour
Goldring	Grewal
Grey (Edmonton North)	Hart
Herron	Hill (MacLeod)
Hill (Prince George—Peace River)	Hilstrom
Hoepfner	Hubbard
Iftody	Jaffer
Johnston	Karygiannis
Laurin	Lebel
Lincoln	Lunn
Mark	Martin (Esquimalt—Juan de Fuca)
Mayfield	McNally
McTeague	Mercier
Meredith	Mills (Red Deer)
O'Brien (London—Fanshawe)	O'Reilly
Penson	Peric
Perron	Schmidt

Supply

Solberg
Stinson
Thompson (New Brunswick Southwest)
Venne
Wayne
Wilfert—61

Steckle
Strahl
Ur
Wappel
White (North Vancouver)

PAIRED MEMBERS

Easter
Lefebvre

[*English*]

Ms. Sophia Leung: Mr. Speaker, I would like to be recorded as being in favour of Bill C-23.

The Deputy Speaker: Was the hon. member present when the vote was taken? She has made her point. We will leave it at that.

[*Translation*]

I therefore declare the motion adopted. Consequently, the bill is referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

* * *

SUPPLY

ALLOTTED DAY—LEGISLATIVE COMMITTEE ON BILL C-20

The House resumed from February 17 consideration of the motion and of the amendment.

The Deputy Speaker: Pursuant to order adopted February 17, 2000, the House will now proceed to the taking of the deferred division on the amendment pertaining to business of supply.

The question is on the amendment.

• (1855)

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

(*Division No. 689*)

YEAS

Members	
Abbott	Ablonczy
Alarie	Asselin
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bailey	Bergeron
Bernier (Tobique—Mactaquac)	Bigras
Blaikie	Borotsik
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Brison	Canuel
Cardin	Casey
Casson	Chatters
Chrétien (Frontenac—Mégantic)	Crête
de Savoye	Debien
Desjarlais	Desrochers
Doyle	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Duceppe	Dumas
Epp	Fournier
Gagnon	Gilmour
Girard-Bujold	Godin (Acadie—Bathurst)
Godin (Châteauguay)	Goldring

Grewal
Guay
Hart
Herron
Hill (Prince George—Peace River)
Hoepfner
Johnston
Laurin
Loubier
Marceau
Mark
Mayfield
McNally
Mercier
Mills (Red Deer)
Penson
Picard (Drummond)
Price
Rocheleau
Schmidt
St-Hilaire
Stinson
Thompson (New Brunswick Southwest)
Tremblay (Rimouski—Mitis)
Vautour
Wasylcia-Leis
White (North Vancouver)—91

Grey (Edmonton North)
Guimond
Harvey
Hill (Macleod)
Hilstrom
Jaffer
Lalonde
Lebel
MacKay (Pictou—Antigonish—Guysborough)
Marchand
Martin (Esquimalt—Juan de Fuca)
McDonough
Ménard
Meredith
Muisse
Perron
Plamondon
Robinson
Sauvageau
Solberg
St-Jacques
Strahl
Tremblay (Lac-Saint-Jean)
Turp
Venne
Wayne

NAYS

Members

Adams	Alcock
Anderson	Augustine
Axworthy	Baker
Bakopanos	Beaumier
Bélair	Bélanger
Bellemare	Bennett
Bertrand	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Brown	Bryden
Bulte	Byrne
Calder	Caplan
Carroll	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Chrétien (Saint-Maurice)	Clouthier
Coderre	Collenette
Comuzzi	Cotler
Cullen	DeVillers
Dhaliwal	Dion
Dromisky	Drouin
Duhamel	Eggleton
Finlay	Folco
Fontana	Fry
Gagliano	Galloway
Godfrey	Graham
Gray (Windsor West)	Grose
Guarnieri	Harb
Harvard	Hubbard
Ianno	Itody
Jackson	Jennings
Jordan	Karygiannis
Keyes	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Lastewka
Lee	Leung
Limoges	Lincoln
MacAulay	Mahoney
Malhi	Maloney
Manley	Marleau
Martin (LaSalle—Émard)	Matthews
McCormick	McGuire
McKay (Scarborough East)	McLellan (Edmonton West)
McTeague	McWhinney
Mifflin	Minna
Mitchell	Murray
Myers	Nault
Normand	O'Brien (London—Fanshawe)
O'Reilly	Pagtakhan

Paradis	Parrish
Patry	Peric
Peterson	Pettigrew
Phinney	Pickard (Chatham—Kent Essex)
Proud	Proulx
Redman	Reed
Richardson	Robillard
Rock	Saada
Scott (Fredericton)	Sgro
Speller	St. Denis
St-Julien	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Telegdi
Thibeault	Torsney
Ur	Valeri
Vanclief	Volpe
Wappel	Whelan
Wilfert	Wood—134

PAIRED MEMBERS

Easter	Lefebvre
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The Deputy Speaker: I declare the amendment lost.

[English]

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

• (1900)

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

(Division No. 690)

YEAS

Members

Abbott	Ablonczy
Alarie	Asselin
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bailey	Bergeron
Bernier (Tobique—Mactaquac)	Bigras
Blaikie	Borotsik
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Brison	Canuel
Cardin	Casey
Casson	Chatters
Chrétien (Frontenac—Mégantic)	Crête
de Savoye	Debien
Desjarlais	Desrochers
Doyle	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Duceppe	Dumas
Epp	Fournier
Gagnon	Gilmour
Girard-Bujold	Godin (Acadie—Bathurst)
Godin (Châteauguay)	Goldring
Grewal	Grey (Edmonton North)
Guay	Guimond

Hart
Herron
Hill (Prince George—Peace River)
Hoepfner
Johnston
Laurin
Loubier
Marceau
Mark
Mayfield
McNally
Mercier
Mills (Red Deer)
Penson
Picard (Drummond)
Price
Rocheleau
Schmidt
St-Hilaire
Stinson
Thompson (New Brunswick Southwest)
Tremblay (Rimouski—Mitis)
Vautour
Wasylcyia-Leis
White (North Vancouver)—91

Supply

Harvey
Hill (MacLeod)
Hilstrom
Jaffer
Lalonde
Lebel
MacKay (Pictou—Antigonish—Guysborough)
Marchand
Martin (Esquimalt—Juan de Fuca)
McDonough
Ménard
Meredith
Muise
Perron
Plamondon
Robinson
Sauvageau
Solberg
St-Jacques
Strahl
Tremblay (Lac-Saint-Jean)
Turp
Venne
Wayne

NAYS

Members

Adams	Alcock
Anderson	Augustine
Axworthy	Baker
Bakopanos	Beaumur
Bélar	Bélangier
Bellemare	Bennett
Bertrand	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Brown	Bryden
Bulte	Byrne
Calder	Caplan
Carroll	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Chrétien (Saint-Maurice)	Clouthier
Coderre	Collenette
Comuzzi	Cotler
Cullen	DeVillers
Dhaliwal	Dion
Dromisky	Drouin
Duhamel	Eggleton
Finlay	Folco
Fontana	Fry
Gagliano	Galloway
Godfrey	Graham
Gray (Windsor West)	Grose
Guarnieri	Harb
Harvard	Hubbard
Ianno	Iftody
Jackson	Jennings
Jordan	Karygiannis
Keyes	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Lastewka
Lee	Leung
Limoges	Lincoln
MacAulay	Mahoney
Malhi	Maloney
Manley	Marleau
Martin (LaSalle—Émard)	Matthews
McCormick	McGuire
McKay (Scarborough East)	McLellan (Edmonton West)
McTeague	McWhinney
Mifflin	Minna
Mitchell	Murray
Myers	Nault
Normand	O'Brien (London—Fanshawe)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Peric

Adjournment Debate

Peterson	Pettigrew
Phinney	Pickard (Chatham—Kent Essex)
Proud	Proulx
Redman	Reed
Richardson	Robillard
Rock	Saada
Scott (Fredericton)	Sgro
Speller	St. Denis
St-Julien	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Telegdi
Thibeault	Torsney
Ur	Valeri
Vanclief	Volpe
Wappel	Whelan
Wilfert	Wood—134

PAIRED MEMBERS

Easter Lefebvre

The Deputy Speaker: I declare the motion lost.

ADJOURNMENT PROCEEDINGS

• (1905)

[*English*]

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

ELECTIONS CANADA

Mr. Paul Steckle (Huron—Bruce, Lib.): Madam Speaker, on October 25 I was on my feet in this place to question the government House leader on the joint UN and Elections Canada vote that was to be held in schools across Canada. The initiative which was held on November 19 required all school age students to select a right as defined in the UN Convention on the Rights of the Child which they felt was most important.

My question for the government House leader and eventually to the Chief Electoral Officer of Canada was why, given the controversial nature of the UN convention, were Canadians being kept in the dark with respect to this undertaking? More important, why were school administrators, trustees, teachers and parents being kept in the dark?

In a subsequent letter to the editor which I forwarded to my riding media, I explained that the rights as listed on the proposed in school ballot were taken directly from the UN Convention on the Rights of the Child. It is important to mention that this convention was passed in 1989 by cabinet only. Indeed the document that has inspired this exercise in democracy, as Mr. Kingsley called it, has never been subjected to the scrutiny of the Canadian adult democracy.

Opponents of the convention have long claimed that the wording of the document is anti-family. I have also come to believe that this is one of the reasons the Canadian parliament has yet to debate the matter and why the United States has failed to ratify the convention to this day.

Before I continue I want to be perfectly clear that I am neither supporting nor condemning the convention. However, I have very grave concerns with some of the potential problems that have been brought forward by the many people who have signed petitions opposing this document. I understand that over 13,000 Canadians have signed petitions since 1997 opposing this convention. I also feel that given the fact that the said petitioners claim that the convention has implications with respect to family life and parental rights and responsibilities, parliamentarians should have the opportunity to debate the issue more fully.

Each and every day we pass laws and regulations that are supposed to improve the quality of life for all Canadians. In fact earlier this evening we gave Bill C-23 its second reading. It is no secret that this bill which amends over 60 pieces of legislation to extend spousal benefits to same sex couples is highly controversial. It is also no secret that I am not supportive of this legislation.

I would like to take this opportunity to reiterate that I am not supporting this legislation due to the fact that it recognizes financial dependency only in cases where there is conjugality. Yes, as silly as it seems, apparently Mr. Trudeau was wrong and the state does indeed belong in the bedrooms of the nation.

As you know, Madam Speaker, I represent one of the best ridings in all of Canada. Moreover, Huron—Bruce is primarily rural in nature. This fact often creates a situation where extended families are financially required to band together so as to maintain functionality. I can name numerous dependency relationships such as those involving two siblings or even a child and an elderly parent.

I would ask why are these relationships less deserving of benefits or less financially or emotionally dependent on one another than a same sex couple, those who are engaged in relationships based upon conjugality? The short answer is that they are not less deserving.

As we all know, the Supreme Court of Canada has determined in accordance with the Canadian Charter of Rights and Freedoms that society cannot discriminate. With this in mind, I would respectfully suggest that if we fail to recognize all dependency relationships, we are simply exchanging one form of discrimination for another.

• (1910)

In conclusion, I do not want to be seen as someone who is simply opposing this legislation because it would extend benefits to same sex couples. While it is true that I am a staunch supporter of traditional family values and its systems, I am also not a person

who is prepared to promote hate or prejudice. I am promoting an inclusionist policy. Let us heed Mr. Trudeau's famous words and draw the shades if we are going—

The Acting Speaker (Ms. Thibeault): I am afraid the hon. member's time has expired.

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I am very pleased to have the opportunity to respond to the issue raised by the member for Huron—Bruce in his original question raised in the House.

The hon. member had asked why Elections Canada was involved in hosting a vote in schools across the country. I believe he was referring to what was known as the national election for the rights of youth. Elections Canada and UNICEF Canada had invited all students under the age of 18 to select which one of the several rights enumerated in the UN Convention on the Rights of the Child they felt was most important. These rights include the right to an education; the right to food and shelter; the right to a safe environment and a healthy life; and the right to be treated without discrimination.

The Canada Elections Act gives the chief electoral officer a mandate to implement public education and information programs to make the electoral process better known to the public. Over the years Elections Canada has undertaken numerous initiatives, many of them involving youth, on the importance of voting and other means of participating in our democratic system. Examples are the Forum for Young Canadians, CRB Foundation, regional heritage fairs and Salon Pepsi Jeunesse.

In carrying out such initiatives with Canada's youth, Elections Canada is not indifferent to the fact that the 18 to 24 year old age group registers the lowest rate of participation in the electoral process.

Elections Canada has also developed educational programs to assist schools in explaining how the Canadian electoral system works. Participation of schools in these educational programs, such as the national election for the rights of youth, is always on a voluntary basis. The decision to undertake—

The Acting Speaker (Ms. Thibeault): I am afraid there is no more time.

AGRICULTURE

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Madam Speaker, I am pleased to have this opportunity to rise tonight and put forward some views and ideas regarding the farm

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aid package announced last year by the Minister of Agriculture and Agri-Food.

With my riding of Lambton—Kent—Middlesex and the southwestern Ontario region producing a large percentage of agri-food products, the success of agriculture is of prime importance. If we lose our farm families and our means of production, we lose our sovereignty as a nation.

Having met with the federations of agriculture in my riding, the pork producers, dairy, corn, soybean, wheat and vegetable growers to name just a few, all have offered ideas on possible improvements to AIDA within the whole array of federal-provincial safety nets and national agricultural policies. All of the producer groups in my riding believe that changes could be made to improve safety nets and help producers of all agricultural commodities in times of financial hardship.

It has been suggested by the Middlesex county pork producers for one that for NISA, the matchable deposit percentage of eligible net sales should be raised from 3% to 6%, allowing producers to build a cushion to fall back on when eligible net sales drop.

In addition, they feel that producer accounts should be allowed to go into a negative balance when eligible net sales drop below 75% of the previous three year average, to a maximum of 10% of the previous three year average of eligible net sales in any given year, with a total allowable negative balance of 25% in all years combined.

To offset prolonged financial problems, combined with the deposit caps now in place, the NISA program would help producers most in need of financial assistance, namely young producers just getting started in farming and producers of commodities prone to cyclical price swings beyond their control.

Corn producers have constructive suggestions too. The market revenue program now extended for two more years needs to be confirmed for a longer period. They are calling for 90% coverage and elimination of premium deductions in market revenue. This would recognize the continuous pressure put on cash crop producers by the U.S. farm programs.

• (1915)

We must cause positive changes to the AIDA program. It definitely has some kinks in it and collectively we must make it work to establish a more effective farm aid approach.

With the suggestions of producer groups, such as those in my riding of Lambton—Kent—Middlesex, with the provinces and the federal officials, and through the national safety net advisory committee of the Minister of Agriculture and Agri-Food, I am hopeful that new proposals will be assessed on their own merits.

We must stand for our farmers. We must support our farmers and rural Canada, the backbone of our economy. I look forward to

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working with the minister and local producers in my riding to develop better methods to deliver assistance more quickly and efficiently to the farmers most in need.

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Madam Speaker, the changes which the government has introduced to the AIDA program will benefit many producers across the country. We will now be covering negative margins. Negative margins occur when a farm has a particularly bad year and the operation has insufficient revenues to cover variable costs like fuel, machinery repair and chemicals.

What will also help farmers get through these tough times is that they now have the option to make a choice in 1999 of a reference period on which the payment calculation for AIDA is based. They will be able to choose either the previous three years or three of the previous five years where high and low income years are not counted. This is called the Olympic average. This will be a real help to farmers as they will not need to count a low income year

that they may have had due to flooding, drought or some other occurrence beyond their control.

Furthermore, in response to industry requests, on January 13 the Government of Canada made a new commitment of up to \$1 billion for the next two years to design a new disaster program to assist those producers most in need and to help them get through the tough times the hon. member referred to.

The government continues to improve AIDA in response to input from farmers and members of parliament, such as the hon. member for Lambton—Kent—Middlesex.

The Acting Speaker (Ms. Thibeault): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.17 p.m.)

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