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Chair

Mr. Kevin Sorenson

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• (1545)

[English]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): Good afternoon, ladies and gentlemen, and welcome to the Standing Committee on Foreign Affairs and International Development. I call this meeting number 33 to order.

We gather here this afternoon to go through Bill C-293, An Act respecting the provision of development assistance abroad, pursuant to the order of reference of Wednesday, September 20, 2006. Today we are here to go through the clause-by-clause process.

We welcome Mr. McKay in his capacity as the one who has brought forward this bill.

I guess the process now is to go directly into the clause-by-clause examination. A number of amendments have come forward from the opposition. Again, I'll remind you that we will take amendments off the floor. There would perhaps be some negotiations even on friendly amendments, wordsmithing, as there normally is.

If you have your bill at hand, we'll begin as quickly as possible. The intention today is to end right at 5:30 p.m. I know a number of people have planes to catch to a certain event that's going on in Montreal. Everyone else wants to get home, where the real action is, so we'll try to get done here as quickly as possible.

If you have your amendments and bill in hand, we'll postpone clause 1 pursuant to Standing Order 75. We'll come back to the short title later on, after the bill is completed, in case there is a need for change.

On clause 2—*Purpose*

We go to clause 2, NDP amendment number 1. Madam McDonough, perhaps you would speak to your amendment, please.

Ms. Alexa McDonough (Halifax, NDP): Thank you, Mr. Chair.

The real reason we want to get through this speedily is that it brings us to a point where we can finally deliver the work we've been doing for two and a half years. I'm sure that was also on your list of reasons for wanting to wrap up by 5:30 p.m.

This first amendment—does everyone have it in front of them?—proposes that subclause 2(2) be deleted, because CIDA, in their presentation yesterday, pointed out that there shouldn't really be an obligation in a purpose clause, and secondly, that not all civil society organizations are involved in sustainable development work.

Do you want me to read the amendment or can we assume everybody has it?

The Chair: Go ahead and read it.

Ms. Alexa McDonough: I move that clause 2 be amended (a) by replacing lines 9 and 10 on page 1 with the following: reduction and in a manner that is consistent with Canadian values, Canadian foreign policy and sustainable development and that promotes

I outlined the reason for the first two changes. And finally, for clarity, this amendment inserts the word, “promotes” before human rights standards, underscoring that promotion is implicit in the idea of providing aid in a way that is consistent with Canada's human rights commitments internationally.

We know that those are contained in the Universal Declaration of Human Rights, as well as the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights. These all refer to the obligation of states to promote human rights.

I so move; and secondly, that clause 2 be amended by deleting lines 12 to 17 on page 1.

The Chair: Thank you, Madam McDonough.

Mr. McKay.

Hon. John McKay (Scarborough—Guildwood, Lib.): I regard this as a friendly amendment, Chair, and I think it actually strengthens the clause. I would like to suggest a modification that I think is agreeable as a consequence to my friend's amendment.

You'll notice that in the second part of her amendment she deletes lines 12 to 17, and I propose that we replace 12 to 17 with a very specific phrase, “Canadian official development assistance”. In other words:

Canadian official development assistance abroad shall be defined exclusively with regard to these values

The point of this is to start to address the issues that the finance department raised yesterday. You'll recollect, Chair, that they were concerned that Canada would be stopped from any other assistance—not necessarily ODA assistance, but assistance—and that would be an unintended and unfortunate consequence of this bill. We think that by putting in this clause and another one several small amendments that arise as we go through the clauses, we will in fact address the concern that the finance department raised.

Then I believe again my friend would find it acceptable that we add a subclause (3) on purpose, which would read:

This Act does not apply to funds delivered to IDRC.

You'll recollect that there was a brief submitted by IDRC, and they were concerned that this bill would negatively impact some of the research they do. That would be, again, an unfortunate and unintended consequence, so we want to make it particularly clear that it doesn't apply to crown corporations. So perhaps we could have a friendly amendment on a friendly amendment.

• (1550)

The Chair: All right, I'm just wondering about the process here.

Madam McDonough, do you accept that, then, as a friendly amendment?

Ms. Alexa McDonough: Totally.

The Chair: We'll still have discussion on the amendment—

Mr. Deepak Obhrai (Calgary East, CPC): I have a point of order, Mr. Chair. Did you present that in writing? Do we have that?

The Chair: Just to make sure we get it; that's a good point. That's what I was going to ask for. What I understand we have so far is that we go through Madam McDonough's changes and we add here:

Canadian official development assistance abroad shall be defined exclusively with regard to these values

Then we add a subclause (3):

This Act does not apply to funds delivered to IDRC.

So you accept that as a friendly amendment.

Mr. Obhrai, did you have another point? Mr. Goldring did.

Mr. Deepak Obhrai: I was wondering, do you have the amendments—

The Chair: No, it's a friendly amendment off the floor, so there is no need for it in writing, if they have it, but it's a combination of the two amendments, so there isn't a complete new version that's ready yet, but that's as dictated.

Mr. Goldring.

Mr. Peter Goldring (Edmonton East, CPC): Mr. Chairman, referring to subclause 2(1), and given the consideration that this is defining the purpose; and given that we have been spending considerable time over the last several months on examining what democracy does, what other countries in their aid policies do, and why they are entering into work in the democratic and good governance field; and given that I think it was a conclusion by all who attended on those deliberations that governance and work on democracy certainly is every bit a part of assisting in the longer term on poverty reduction; and given that we look at the situation in Haiti, and the fact that we've been contributing hundreds of millions of dollars for years, and the one element that has been lacking there has been this governance and democracy development—

Therefore, to be consistent with the work we have done, the report that we're producing on Haiti, and possibly another report coming through on these democratic deliberations that we're conducting, I would suggest here that the subclause 2(1) be worded in this manner:

that Canadian development assistance contributes to poverty reduction in a manner that is consistent with Canadian foreign policy, which could include support for the principles of democracy, the protection of human rights, and environmental sustainability.

The Chair: Madam McDonough.

Ms. Alexa McDonough: Are you proposing that as an amendment, a friendly amendment?

Mr. Peter Goldring: Yes.

Ms. Alexa McDonough: Let me just say that I think the spirit of what you've said, in fact the very substance of what you've said, is more than incorporated in the wording here. Now, if what you're saying is that you don't really like the wording—

It's pretty obvious that all three of the things we're citing that need to be taken into account would include democracy, there's no question: Canadian values, Canadian foreign policy, and international human rights standards. So is your—

Mr. Peter Goldring: There is one that I think came out in the meetings we have been going through, wherein senior departmental people are questioning the narrowness of the definition of this and the need to have it at least include certain things.

I would think the democratic evolution or the governance aspect of it would be an absolutely essential one to have included, so that there can be no misconstruing at any point in the future that this too is part and parcel of poverty reduction efforts.

The Chair: Mr. Obhrai, and then Ms. McDonough.

Mr. Deepak Obhrai: I'm going on a different point here—

The Chair: Well, if it's a different point, then we'll go back to—

Mr. Deepak Obhrai: No, no, it's to do with this, but it's not this point. I'm actually going to where Mr. McKay has brought IDRC to be examined, in what I would say is the purpose of the act. Would it not be more appropriate to have that portion somewhere else, and not in the purpose of the act?

The purpose of the act should stay clearly as what the purpose is and not have an exemption in the purposes. We could move that exemption somewhere else, in subsequent things where we could fit it in. Don't you think that would be a far more appropriate way to go? Why do you want an exemption in the purpose?

• (1555)

The Chair: Thank you, Mr. Obhrai; it's a good point. But I have Ms. McDonough and then Mr. McKay.

Ms. Alexa McDonough: If what you're saying is that you don't like this wording and you want to propose alternate wording, then I guess we need to make sure we all hear what it is. I don't have any objection to the general sense of what you're proposing, which is to make sure that democracy building is included in it; that's no problem. But what I'm not sure about is whether you're actually proposing the elimination of poverty reduction. If that's the case, it fundamentally changes the entire gist of what we're doing.

The Chair: No—

Ms. Alexa McDonough: Okay. Can you read it again? We want to be as collaborative and cooperative here as we possibly can be, but we need also to know what we're talking about.

Mr. Peter Goldring: It's to be more inclusive and up to date with what we're doing in deliberations in—

Ms. Alexa McDonough: So can you read it again? If it's a friendly amendment—

Mr. Peter Goldring: It's this: that Canadian development assistance contributes to poverty reduction in a manner that is consistent with Canadian foreign policy, which could include support for the principles of democracy, the protection of human rights, and environmental sustainability.

Ms. Alexa McDonough: Well, I would have to say—and I'm not trying to be difficult—that I don't think it's a friendly amendment, in the sense that it removes totally the reference to a “central focus on poverty”. A big part of what we actually have been trying to do is to reinforce—

Mr. Peter Goldring: All of these elements are very consistent, and quite frankly, they're components of poverty.

Ms. Alexa McDonough: I didn't say they weren't consistent, but you've removed “central focus”, and I'm just saying it's not a friendly amendment. It might be some other kind of amendment, but to remove “central focus on poverty” is, as far as I'm concerned, not a friendly amendment.

That doesn't preclude your proposing it.

Mr. Peter Goldring: I don't believe it does. I believe it adds to it; it improves it.

The Chair: But even the body of your clause seems to be a fairly substantive change. Usually friendly amendments are minimal and are adding something to it.

As far as including “democratic development”, or whatever wording you used, and “environmental” are concerned, I think it's good. I think probably both are agreeing with that. Is there any way that can be inserted after “Canadian values”, so that we keep the substance of what Madam McDonough and Mr. McKay have brought forward?

It would read: The purpose of this Act is to ensure that all Canadian development assistance abroad is provided with a central focus on poverty reduction and in a manner consistent with Canadian values, democratic development, environmental sustainability, Canadian foreign policy, and international human rights.

Would that then constitute a friendly amendment?

Mr. McKay.

Hon. John McKay: Certainly Mr. Goldring is friendly. I don't necessarily see it as a friendly amendment, though.

The point of bringing this bill forward is to maintain focus: to keep CIDA, the Department of Finance, and Foreign Affairs, in their representative positions for the people of Canada, focused on the issue of poverty reduction. We want poverty reduction to be consistent with Canadian values, Canadian foreign policy, and sustainable development. We actually want that promoted.

Everything Mr. Goldring is arguing for—democracy, and human rights, and environmental sustainability—in my view is contained within Canadian values and Canadian foreign policy; that is the universe, if you will.

Now you're trying to break down the universe into subsections of the universe, and I don't think it adds to anything we've stated here, and in fact it may be in some respects diversionary from our overall focus here. That's point one.

Point two has to do with the amendment of Ms. McDonough. The “sustainable development” would cover your concern about environment, which I think was one of your three.

The overall idea of an act, when a person reads it, is to clearly understand what it is for. I think the way it's currently phrased, subject to the amendment by Ms. McDonough and the friendly amendment on the friendly amendment, actually keeps us on track.

• (1600)

The Chair: We're still at a point where I'm not certain we have the complete amendment with the friendly amendment added to it, because Mr. Obhrai raised a point. I don't know that you answered it, Mr. McKay.

Hon. John McKay: No, I haven't addressed Mr. Obhrai's point.

The Chair: It's in regard to the IDRC perhaps being dealt with in a different place.

Hon. John McKay: I'm open to any suggestion as to where else it might go. It seemed at the time that this was appropriate, but maybe we can address that as we unfold.

The Chair: Madam McDonough, was there something else? Is there any way you see that we could include—?

You know, when we have “Canadian values” in the purpose.... There is no definition of Canadian values. I think Mr. Goldring's “democratic development”, democracy...we would include that as a Canadian value, I think. There are so many different things to different people.

But is there a way to include “democratic development” and “environmental sustainability”, or whatever it was?

Ms. Alexa McDonough: I don't think there's a problem with including it. I don't know whether we have legal beagles here who want to advise us—we have some lawyers at the table—on the inadvisability of doing too many “for examples” and illustrations, and so on, because I think the point is to make it as crisp and precise as possible. But I don't personally have an objection if we want to say, “a manner consistent with Canadian values, Canadian foreign policy”. I'm trying to think of where to put, for example, “or including sustainable development”.

I see our researcher nodding. Does that work: “including sustainable development” and, what, “democracy promotion” or “democracy building”?

Come on, you're a lawyer, Geoff. Help us here.

Hon. Geoff Regan (Halifax West, Lib.): Let me offer you this. Keep in mind that if you say “including”, you have to decide whether you want to only include those things, and if not, you say “without limiting the generality of the foregoing”. That's the real lawyer's answer.

The Chair: Is that davenport law? This is what happens when we ask a lawyer.

Madame Bourgeois.

[Translation]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Thank you, Mr. Chairman. I hope that I've grasped everything clearly. The interpreters do not have all of the amendments. It's very hard for them, but I think they are doing the best they can.

First of all, Mr. Chairman, as members of the standing committee, we are developing our position on democratic development. Our notion of Canadian values will be inclusive, once we've worked on this. Secondly, the United Nations Millennium Summit clearly set out goals for fighting poverty in this millennium. There are eight goals in total. I can list them for you if you like, but they do not include supporting democracy or development. Mention is made of human development, but not of governance and democracy. The focus of our bill is the eradication of poverty.

I have a suggestion. While I can understand Mr. Goldring's position, perhaps we could suggest that he set aside for now any reference to democracy, since the standing committee will examine that issue. That will be included in our final position and report to the minister. That process will include Canadian values, as the standing committee will have touched on this matter. For now, let's focus on the eight goals identified at the Millennium Summit to fight poverty. That's what I suggest we do.

[English]

The Chair: All right. *Merci beaucoup.*

Mr. Casey, and then Mr. Obhrai.

Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC): I don't see where Mr. Goldring's amendment takes away from the focus on poverty reduction. It says, "poverty reduction in a manner that is consistent with Canadian foreign policy, which could include support for the principles of democracy"—which is what we have been studying for months now in this committee—"the protection of human rights, and environmental sustainability".

It doesn't say poverty reduction "or" these things; it says, "poverty reduction in a manner that is consistent with". I don't see that it takes anything away from poverty.

• (1605)

The Chair: Mr. Obhrai.

Mr. Deepak Obhrai: I just want to target a question to Mr. McKay.

In a hypothetical situation, if you don't put in democratic reform and you don't take in the other things that are in ODA, would there not be a danger, somewhere down the line in trying to reach the target of 0.7% for ODA, that we would then have a situation where, if we wanted to address all the other issues and addressed only poverty reduction here, of future governments—and definitely not my government—reducing the money to ODA? They could actually put it down. If you are going to restrict everything and say it's only poverty reduction, and you're not going to take other Canadian values to put in there, then there would seriously be a danger that somewhere down the line, when governments want to promote other areas, they might take away this money that was supposed to go towards ODA reaching 0.7%, leaving a smaller pot for poverty reduction.

Would that not be something of serious concern?

Hon. John McKay: It's good to hear that you have no intention of being part of any future government. That's a comfort of some kind.

With respect to your point, I want people to go back to the genesis of this bill. The genesis of this bill is the last Parliament. In the last Parliament you actually heard witnesses who said poverty reduction should be the central focus of anything going forward. You had the three party leaders at the time writing to the then Prime Minister saying poverty reduction should.... That's what the point of this bill was.

What concerns me—to address your point specifically—is that you'll see as we unfold some of the amendments that what we want in the ODA envelope is focus on poverty reduction.

What I'm concerned about with Mr. Goldring's amendment—and I would regard it, again, as friendly but not necessarily a friendly amendment—is that you start to divert. Is the minister now supposed to ask himself or herself questions about whether this is democracy-enhancing? What are the other areas?

Let's face it. There are always far more claims on the available dollar, whether it's 0.3%, or 0.5%, or 0.7%, than there will ever be money to fill those claims. It seems to me that the more the committee wanders away from, if you will, generic statements about poverty reduction, the more it opens the door for the minister to say, well, really, activity X in country Y falls within poverty reduction, because it has something to do with democracy enhancement. I don't think that was the point of the letter from the leaders, and I don't think it was the point of what you heard in your hearings in the last Parliament.

I just want to caution the committee about wandering off from core purposes here.

The Chair: Mr. McKay, without the other amendment, speaking with respect to "Canadian ODA abroad shall be defined exclusively with regard to these values", when you read it, I don't think it's going to do that. It says that if you have a choice.... The central focus is poverty reduction. By listing democratic development, you're making it very clear, actually, that poverty reduction is central, with these other considerations. I don't think it's going to do what you're concerned it's going to do, and that is divert into different directions. It's spelling out even more clearly that poverty reduction becomes the chief focus.

Madam McDonough.

Ms. Alexa McDonough: Well, I guess I'm misunderstanding. I think what Peter Goldring's amendment proposes is the removal of "central focus". Does it not remove the words "central focus"?

• (1610)

The Chair: No, that was the concern you had, and I asked him whether we could insert it underneath and keep "central focus on poverty reduction, and in a manner consistent with Canadian values, including democratic development", and then "environmental" added on after. So it's still saying that you have environmental sustainability and you have democratic development, but hey, the central driver or focus here is poverty reduction.

Ms. Alexa McDonough: I have to say, if that's all it is, and having clarified—I'm looking for a nod from the table, I guess, because it's a question of what the wording is, actually, that's in front of us—I'm prepared to accept it as a friendly amendment. If for no other reason, we're trying to bring to a head what is two and a half years of work by this committee, and we have about an hour and a half to do it. I don't want to see us get totally bogged down.

I think the general view... If you get 100,000 people in a room, they would all agree that democratic development or democracy building is included, is already there, in the iteration of "Canadian values, Canadian foreign policy and international human rights standards", but if you want it there for greater comfort or to make sure somebody's not thumbing their nose at democracy, I don't have a problem with putting it in.

But I'd sure love to see us get on with dealing with it.

The Chair: I have Madame Bourgeois, Mr. Goldring, Mr. Regan, and Mr. McKay.

You're on there too? Put Mr. Obhrai on the list.

All right, Madame Bourgeois.

[*Translation*]

Ms. Diane Bourgeois: Mr. Chairman, I've just realized that clause 1 refers to development assistance. From the outset, we've been talking about reducing poverty. If we talk about development assistance, then Mr. Goldring is entirely correct. Talking about good governance and democracy is the same as talking about development assistance. It's all part of the development process. If we talk about reducing poverty, then we need to look at the Millennium Development Goals. We need to stick fairly close to the short title, namely the Development Assistance Accountability Act.

What is it that we want to do? Do we want to provide development assistance or reduce poverty? I'm putting the question to you, Mr. Chairman.

[*English*]

The Chair: Developmental assistance is listed under the purpose of the act as being the dollars that we spend, the ODA—the direction for our developmental assistance.

[*Translation*]

Ms. Diane Bourgeois: Mr. Chairman, what about a quid pro quo? Proposed legislation to reduce poverty is not the same as a bill respecting development assistance accountability. Obviously, development assistance includes a poverty reduction component, but we're talking about two very different things here.

[*English*]

The Chair: We're probably arguing the same thing. I don't think we disagree. We recognize that Canadian developmental assistance has to be focused on poverty reduction.

[*Translation*]

Ms. Diane Bourgeois: In my estimation, Mr. Chairman, we have a problem. I came here to discuss poverty. If Mr. Goldring insists on talking about the title, which includes "the provision of development assistance", there is an inconsistency with the rest of the text. In that

case, he should opt to introduce an independent motion, another bill, targeting development assistance.

[*English*]

The Chair: Madame Bourgeois—then we'll go to Mr. Goldring—the purpose of this bill is to ensure that all Canadian developmental assistance abroad is essentially focused on poverty reduction. We aren't here just to focus on poverty reduction; we're here to focus on Canada's responsibility. It's fairly elementary: our job isn't just to say poverty reduction is good and poverty is bad; it's to say Canadian developmental assistance is going to be centrally focused toward it.

Mr. Goldring is next. Then we have to move on—after we hear from Mr. Regan, Mr. McKay, and Mr. Obhrai, and by then I'm sure that Madam McDonough is going to want back in.

Go ahead.

• (1615)

Mr. Peter Goldring: Mr. McKay, you made a comment about including this, and I would suggest just the opposite: not including democracy development and government development. I would suggest not including it.

I believe it's consistent with paragraph 4(1)(a), which says it "contributes to poverty reduction". That's what we're saying in this—it could include the principles of democracy and environmental sustainability as a method of helping to contribute to poverty reduction.

By not having it in there, that very point could happen. If somebody was viewing this as a tightly formed contract and read the words and expressions on it...it doesn't mention that at all. If somebody is making a decision on whether development funds or assistance funds for poverty reduction are going ahead and they do not connect governance and do not connect democracy development as being an integral and important part of poverty reduction, then it's very easy for some of those good initiatives to fall off the table—because they're not considered under the purview of this bill.

This came out in the meetings yesterday with the principals from the department too. They said that because it's narrowly defined, it could very well impact some initiatives that truly could help in poverty reduction. That's why I think updating with the democracy and updating with the environmental sustainability would both contribute greatly to poverty reduction.

The Chair: Thank you.

Mr. Regan will pass. Mr. McKay, I have you on the list of speakers. Do you want to respond?

Hon. John McKay: Thank you.

First of all, with respect to the issue of Canadian values, in 1994 the Government of Canada, in what remains the foreign affairs statement to the world, defined what Canadian values were, so any interpretation of these words "Canadian values" is taken in the context of that 1994 statement. It remains the seminal statement of foreign policy.

Among other things, the statement notes that “the projection of Canadian values and culture is important to our success in the world” and defines these values as “respect for human rights, democracy, the rule of law, and the environment”. When you take the phrase “Canadian values”, your entire concern is incorporated by virtue of the Government of Canada’s statement, which remains the seminal statement of this. It is effectively incorporated by reference.

The Chair: Mr. McKay, we’ve heard testimony that what is now included in Canadian values is very much open for debate. I can’t remember if it was in regard to this bill or if it was another group that was here. They say there really is no overriding definition.

Hon. John McKay: But that’s not true. There is a foreign affairs definition of what constitutes Canadian values—

The Chair: Was democracy development mentioned?

Hon. John McKay: It’s respect for human rights, democracy, the rule of law and the environment. Those are included as Canadian values.

Anyway, I accept Ms. McDonough’s view that we should be moving on. I’m happy to put this to a vote and see where it falls down.

I’ve made my argument—that I think it loses focus by focusing on what you are studying at this point—and I don’t accept your basic argument that it does anything other than that. I’m happy to let it go to a vote and keep on moving.

The Chair: Just one second, Mr. Goldring.

Next are Mr. Obhrai, Mr. Casey, Madam McDonough.

Mr. Deepak Obhrai: Mr. Chair, I would have hoped that the mover of this thing would be more cooperative in trying to get this bill more in line, instead of saying I am, you know—

However, the other point here, Mr. McKay, is that on your second one you said, “Canadian official development assistance”. Now, you know that ODA, or official development assistance, is a word that is used by OECD, and so any time OECD will change the ODA word, you have a problem in that it changes our focus. So I would suggest that in order to be clarified, we talk about “Canadian” development assistance instead of saying “official” development assistance. Take the word “official”, because that would then not be dealing with OECD, but would be dealing with us, and if anything in OECD changes, it does not impact us; it does not change—

Hon. John McKay: We can’t do that.

Mr. Deepak Obhrai: You see, there seems to be a totally uncooperative attitude from this individual.

• (1620)

The Chair: There is a definition in Madam McDonough’s.... It’s not adopted yet, but their amendment number 4 defines developmental assistance, so that’s maybe coming up later on.

Go ahead, Mr. Casey.

Mr. Bill Casey: Mr. McKay, I don’t think your intention ever was to confine all of the ODA money to poverty reduction, was it? You didn’t say that in the original bill. It didn’t say that development assistance abroad will be confined to poverty reduction; you said it would “focus on poverty reduction.” You didn’t rule out other

features as long as the focus was on poverty reduction. Is that correct? Have I got that right?

Hon. John McKay: That’s the point. You may have to draw a long line between what this activity is and this funding, but the minister’s going to have to say in some manner or other that this has a focus on poverty reduction.

Mr. Bill Casey: Then Mr. Goldring’s amendment doesn’t change much, from what you’ve said; it just lists some of the options. You’ve suggested that the focus should be on poverty reduction, and I think with the chair’s addition to focus on poverty reduction, the main issue of your bill is still there. The focus will be on poverty reduction.

Hon. John McKay: I’m just concerned that because this is a relatively small bill, and largely a guidance bill, you tend to miss the point if you start cluttering it up with other things, and I think Mr. Goldring’s concerns are in fact incorporated by reference to what is the official statement of the Government of Canada.

The Chair: Madam McDonough, I’m just going to make one more point, and it may be off the line.

Mr. McKay, your amendment does not apply to funds delivered to the IDRC. Again, to put that in the purpose when we’ve just finished talking about “consistent with Canadian values, Canadian foreign policy and international human rights standards”, and then go into the ODA, and now it’s not.... It doesn’t have to be consistent—

Hon. John McKay: It may well be better in clause 4, as an addition to clause 4.

The Chair: All right. Can we then effectively remove that part?

Hon. John McKay: If you take that out so that for the purposes of this particular amendment it will not exist, then I will—upon prompting from you, Mr. Chair—put it back in clause 4.

The Chair: Okay, you write it down, and we’ll try to have it marked here under clause 4.

We’re going to have another IDRC one in here.

Madam McDonough, please go ahead.

Ms. Alexa McDonough: I agree with that and I think we’re finally making some progress.

I’m hoping the same spirit of cooperation and collaboration that’s brought us to this point can prevail here, and there’s been an agreement to respond on the IDRC matter. I would propose, in the attempt to move forward, that the amendment I’d proposed accept a friendly amendment from Mr. Goldring that would insert “democracy promotion” after “sustainable development”.

The Chair: Can you say that one more time, Madam McDonough?

Ms. Alexa McDonough: Yes. The amendment deletes the obligation—we’ve dealt with that—but inserts, after the words “sustainable development” in clause 2, “democracy promotion”.

We retain “central focus on poverty reduction”. I think some of us are more than satisfied that the iteration there now already includes the notion of democracy development, but if we're going to bog down the entire exercise because there's that kind of inflexibility, I think all of us need to show some flexibility. Let's move on.

The Chair: Yes, I think we just want to get the purpose of the bill so that the whole picture is seen here. So you'd be willing to put in... anything about the environment?

Ms. Alexa McDonough: It's already proposed that “sustainable development” go in there, and that we add to it “democracy promotion”.

• (1625)

The Chair: Go ahead, Mr. Obhrai.

Mr. Deepak Obhrai: On a point of clarification, with this motion that you have just put forward, you are not accepting Mr. McKay's friendly amendment, right?

Ms. Alexa McDonough: Yes, absolutely. On the friendly amendment, he's already—

The Chair: It's not the second part. The second part—he's already removed that.

Ms. Alexa McDonough: He has already said he'd deal with it in clause 4.

Hon. John McKay: The only concern I have about Ms. McDonough's issue is that consequential amendments may flow from it, and they may then get into the powers this bill is intending to exercise. Frankly, I haven't thought my way through each and every clause. Given my initial position, for one thing, it loses focus, and for another, it's already stated by point of reference. I'm not convinced what it actually accomplishes.

Maybe I could ask the clerk if any consequential amendments might flow from that. Maybe that's an unfair question.

The Chair: Go ahead, if you want to speak to that.

Mr. Michael MacPherson (Procedural Clerk): As a legislative clerk, I can only speak to the procedural admissibility of amendments. I'm not a lawyer, nor am I a legal drafter; to think up on the spot all the consequential amendments that may or may not be needed in a bill based on the hypothetical is not within my job description, basically.

The Chair: As I understand it, clause 2 would then be worded in the following way: we would replace lines 9 and 10 on page 1 with “reduction and in a manner that is consistent with Canadian values, Canadian foreign policy, sustainable development, democracy promotion, and that promotes Canadian ODA abroad”.

How does that work? Oh, yes, then the line that's in the bill would follow that. And then at the end of it, we would delete lines 12 to 17, and add “Canadian official development assistance abroad shall be defined exclusively with regards to these values”.

Hon. John McKay: Then you add back in—

The Chair: We add nothing back in.

Hon. John McKay: You're deleting lines 12 to 17, and then we're adding back in “Canadian official development assistance abroad shall be defined exclusively”.

The Chair: That's correct. So do we accept that, then, as a friendly amendment?

Hon. John McKay: I take it that—

The Chair: We haven't really had unanimous consent. I don't know how this works on the friendly amendment, but we've never voted on it. We're just trying to wordsmith one friendly amendment here.

Hon. John McKay: Actually, there are two, because Mr. Goldring had what I regard as a not-so-friendly amendment. Ms. McDonough shrunk that to “democracy promotion”.

I'm assuming you accept her position, is that correct?

Mr. Peter Goldring: Yes.

The Chair: I don't think there are any hidden reasons for that. Including “democratic promotion” or “development” is just to get it going.

Hon. John McKay: Okay, question.

The Chair: Madam St-Hilaire had one point, and then we'll ask the question.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): I have a technical question or, perhaps it's simply a question of interpretation. We're talking about sustainable development. I can understand Mr. Goldring wanting to include the notion of democratic development. Not that I want to cause any trouble, but shouldn't we also then include a reference to human rights? The point I'm trying to make is that—

[*English*]

The Chair: It's in the original that you go back to international human rights standards. Perhaps you could read it slowly as amended, and then we'll ask the question.

• (1630)

Mr. Michael MacPherson:

That Bill C-293, in Clause 2 be amended:

(a) by replacing lines 9 and 10 on page 1 with the following:

reduction and in a manner that is consistent with Canadian values, Canadian foreign policy, sustainable development and democracy promotion, and that promotes

(b) by replacing lines 12 to 17 on page 1 with the following:

(2) Canadian official development assistance abroad shall be defined exclusively with regard to these values.

The Chair: All right. So the magic phrase then is—

On a point of order, go ahead, Mr. Obhrai.

Mr. Deepak Obhrai: I'm going to ask this to Alexa. We have no problem in the first one, but we do have a problem with the second one. Is it possible to separate the two? “Canadian official development” —

Ms. Alexa McDonough: No.

Mr. Deepak Obhrai: Is it possible, in order that you have unanimous consent with this thing? Otherwise we would have difficulty agreeing to the—

Ms. Alexa McDonough: I would have to say no, I don't think so. We may not be able to agree on everything. Maybe we have to call for the question. We've been back and forth; now let's just have the question and move on.

The Chair: So that would not be a friendly amendment, then?

Ms. Alexa McDonough: No.

The Chair: All right. We're going to call the question on the amendment. It's not a subamendment; it's a modified amendment.

(Amendment agreed to [See *Minutes of Proceedings*])

Ms. Alexa McDonough: Hopefully this is much more straightforward. It simply inserts a new section defining civil societies, which is more inclusive than the one—

The Chair: Hold on, we're still on clause 2. We have to go back there now.

(Clause 2 as amended agreed to)

The Chair: I'm wondering if we can have consent to stand clause 3.

As it is only the interpretation section, it contains definitions that will be impacted by changes to the bill later on. So if we can stand clause 3 and go to clause 4, there are other amendments later on that are going to change clause 3. I'm told that by legislative counsel here.

Ms. Alexa McDonough: Of course, we could come back to it, in case some further changes that we make impact it.

The Chair: Yes. Definitely.

Ms. Alexa McDonough: So there is no implication that it's being

The Chair: No.

We would then go to the Bloc amendment to clause 4, on page 8, and we will come back to both the title and to clause 3.

(Clause 3 allowed to stand)

(On clause 4—*Development assistance*)

So we'll go to Madame Bourgeois and amendment BQ-1.

[*Translation*]

Ms. Diane Bourgeois: Let me read the text to you. Clause 4 says this:

4(1) Development assistance may be provided only if the competent minister is of the opinion that:

We're proposing that paragraph (a) be replaced by:

(a) taking into account the various factors underlying poverty, including health, education and equality;

That's what I was referring to earlier, Mr. Chairman, namely the Millennium development goals and recommendations. The provision then becomes much clearer, and much more inclusive.

• (1635)

[*English*]

The Chair: Thank you, Madame Bourgeois.

Monsieur McKay.

Hon. John McKay: There are two issues here, as I see it.

Where this amendment goes, first of all, is to “contributes to poverty reduction” and “takes into account”, etc. My view of it is that if you are open to taking that into consideration, it should go into paragraph 4(1)(b), where you're taking into account.

If I go back to my original point, this is a bill that is to contribute to poverty reduction. That's your number one goal here. How you do that is spelled out a little bit more by saying “takes into account the perspectives of the poor”, and then, “takes into account the various factors underlying poverty, including health, education and equality”, etc.

Again, my overall reaction is that this is sort of muddying, but if it is in fact acceptable muddying, then it should go in paragraph 4(1)(b) rather than paragraph 4(1)(a).

The Chair: Madam McDonough.

Ms. Alexa McDonough: I understand John McKay's point, but I wonder if I could just suggest a minor change in this, to incorporate the proposal that he has made but not to weaken the commitment to poverty reduction, which is central here. If paragraph 4(1)(a) were to read “contributes to poverty reduction, taking into account such factors as health, education and equality”, I think it achieves the same thing, but it flows better, doesn't it?

The Chair: Mr. Goldring.

Mr. Peter Goldring: It seems to me that this, then, would be further defining it and breaking it down.

We just had a long discussion about defining it even with the element of democracy. To be putting in other facts, like good governance, democracy, and agriculture, what else would we be defining it on? Are health, education, and equality not included in your “umbrella of purpose” description?

Perhaps in that purpose description, where you had mentioned the policy of the government—and you read out a description of what that policy was—we should find some way to put that policy into the bill in a way that would codify it and give clarity to it. But I have a concern that we're now looking at expanding the definitions again.

The Chair: We aren't going to go back to the purpose. We've dealt with that. One line, one time, is my feeling on that.

Hon. John McKay: Let me just speak to it.

Again, I go back to other comments I made earlier. The point of this bill is to contribute to poverty reduction. That will be the lens. To accept this amendment is to eliminate “contributes to poverty reduction”, so it defeats the central point of the bill.

I'm not sure that was an intended consequence on the part of my friends in the Bloc, but that would be the result. If you replace line 23, which is “contributes to poverty reduction”, with “takes into account various factors underlying poverty”, etc., it will just gut the bill.

The Chair: I don't think we can work on this amendment as a friendly amendment. If Madam Bourgeois wants to move it as a subamendment, we would allow a subamendment, vote on that subamendment, and then come back to the amendment.

But I'll accept what Mr. McKay says. I think it may change the intent that Mr. McKay has in this bill to too large a degree.

Madam McDonough.

• (1640)

Ms. Alexa McDonough: I agree with the chairman's point and Mr. McKay's point as well, although I don't think it was your intention to do this at all. But by starting to use examples of what would be poverty reduction, then it may be unnecessarily creating the impression that it's meant to be limiting, when in fact there are a whole variety of things that one could include. If we start using examples of various forms of poverty reduction, though, I think it weakens the sharpness.

An hon. member: We've already spoken on this twice already.

Ms. Alexa McDonough: Yes, that's right.

That's the other thing. If you go to all the work leading up to the central focus of the motion that was adopted in Parliament, I think it just takes away from the central purpose. I personally don't think it is a friendly amendment.

The Chair: Madam Bourgeois, then Mr. Obhrai.

[*Translation*]

Ms. Diane Bourgeois: At most, Mr. Chairman, I would have agreed to have my amendment begin after the semi-colon, which would have given the following:

(a) contributes to poverty reduction, notably by taking into account the various factors underlying poverty, including health, education and equality;

I have the advantage here today of having read this bill in my office, since I did not participate in any of your other discussions. I wondered what an outsider's reference point would be.

Poverty reduction includes many components. I mentioned the Millennium goals earlier, because very clear goals were established for eradicating poverty. Agencies, NGOs and officials are fighting to have recognized that in order to reduce poverty, it's important first and foremost to be able to provide health care, to educate people and to achieve gender equality.

I would ask my colleagues to at least agree to include after the words "poverty reduction", the words "health, education and equality", so that this bill makes sense to the average person who reads it.

Thank you, Mr. Chairman.

[*English*]

The Chair: Thank you, Madame Bourgeois.

Mr. Obhrai.

Mr. Deepak Obhrai: We will agree with what Alexa is saying and Mr. McKay is saying. It will take the focus away from the main purpose, which is poverty reduction, and I think we should stay on that.

The Chair: I'm going to finish the speaking order here.

Mr. Martin.

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): I just want to say that I think we're nitpicking here. We'll never get over

this until we look at things in their broadest definition, not in their narrowest definition. At the end of the day, by looking at these things in their broadest definition and by allowing sufficient latitude, it gives the application of the law and the people who will be working under this the ability to do what they need to in order to do their jobs.

We should perhaps change our mindset a little bit and look at things in their broadest definition, not parse and cut away at this, as we're doing right now in a nitpicky fashion. We're going to go nowhere quickly here, and that would be really quite unfortunate for this bill.

The Chair: Thank you, Mr. Martin.

Mr. Regan.

[*Translation*]

Hon. Geoff Regan: Mr. Chairman, it's worth pointing out that this clause begins as follows:

4(1) Development assistance may be provided only if the competent minister is of the opinion that:

What counts, in actual fact, is the opinion of the competent minister. I think it's important to interpret this provision as providing general guidelines that must be taken into account.

• (1645)

[*English*]

The Chair: Thank you, Mr. Regan.

I call the question on the amendment BQ-1 to the first part of clause 4.

(Amendment negatived)

The Chair: We now have, regarding the same clause, NDP-8 on page 9. This one is, to a degree, also related to NDP-5. NDP-5 is one of the amendments to the previous clause, so this is one of those that are consequential.

Madam McDonough, would you speak to your amendment, please?

Ms. Alexa McDonough: I will if I can figure out where we are here. Number 3: I think quite specifically, because of the consequential impacts of this amendment, what we're proposing is that clauses 6, 7, and 8 should be defeated.

The Chair: I think you're on the wrong one. Go back up to page 9. This deals with the difference between human rights obligations and human rights standards. That came out of testimony yesterday.

I'll afford the opportunity to speak to it first to Ms. McDonough and then to Mr. McKay.

Ms. Alexa McDonough: I'm sorry.

This goes back to the strong urging that we not talk in terms of obligations, but rather in terms of standards. That was part of the presentation we heard yesterday from the departmental officials.

So the amendment is simply that clause 4 should be amended by replacing lines 26 and 27 on page 2 with the following:

(c) is consistent with international human rights standards.

The Chair: All right, does any one want to speak to that?

Mr. McKay.

Hon. John McKay: I think you've made the point already, which is that it has to be tied to NDP-5, which defines international human rights standards.

No, I support that. It's a good idea.

The Chair: Thank you.

Is there any one else with a comment on that amendment? I think we see some support over here on that.

Madam St-Hilaire.

[*Translation*]

Ms. Caroline St-Hilaire: I have a short question. I'm not sure if this suggestion could be considered a friendly amendment, but it would be clearer to add: "is consistent with the international standards to which Canada is a party".

[*English*]

The Chair: Madam McDonough.

Ms. Alexa McDonough: Yes, I'm concerned that that's too limiting. Some international human rights standards flow from treaties, covenants, whatever we've signed on to, but some actually wouldn't necessarily be fully encoded now in treaties or whatever. So I think, again, it becomes unnecessarily limiting.

The Chair: Mr. McKay.

Hon. John McKay: I would like to speak to that as well. If you go to the definition in NDP-5, it speaks directly to your issue, by saying "international human rights conventions and customary international law", so we would not necessarily be a signatory to conventions and customary law. Customary law is law that's not necessarily statute.

I was just reminded, Chair, that this would possibly be an appropriate place to put in, after you deal with this, the exemption for the International Development Research Centre.

The Chair: We have a number of other amendments on clause 4 that are on the books. We'll deal with them first, and we'll come back —

Hon. John McKay: Yes, I just don't want to forget that.

The Chair: No, that's where you wanted it, and that's where we'll try to squeeze it in.

Mr. Casey. No?

Madam St-Hilaire, are you all right with that? If you aren't all right with that, we would ask that you move a subamendment. Sometimes if we can get a friendly amendment fairly soon, we'll do it. If we can't, then I'm going to have to have a subamendment just to keep things moving.

If you're prepared to move a subamendment, we can vote on the subamendment and then come back.

I think Mr. McKay is correct. I think some of what you draw out will be coming in another amendment that the NDP has proposed in regard to what's enshrined in treaties, covenants, and common practice.

So there is no subamendment? Then we will call the question on NDP-8.

One moment.

• (1650)

[*Translation*]

Ms. Caroline St-Hilaire: So then, there is no change whatsoever? You were all talking to me at the same time. Could you repeat what you said?

[*English*]

The Chair: There is a change to the bill. There is the amendment. The amendment says "is consistent with international human rights standards" instead of "is consistent with international human rights obligations."

I'm sorry, I should have read that out. Sometimes in the French the translation is different. This changes the word "obligations" to "standards".

We'll call the question on NDP-8.

(Amendment agreed to)

The Chair: Now we will move to amendment BQ-2 on page 10 in your amendment documents.

On this one we have a line conflict with NDP-9. If BQ-2 is carried, NDP-9 cannot be proceeded with. Both could be grouped for debate. That's what I'm told by legislative counsel. So there is a conflict with NDP-9.

Go ahead. Maybe you want to explain your amendment, and then we can cross-reference it with NDP-9, Madame Bourgeois.

[*Translation*]

Ms. Diane Bourgeois: A very simple change is being proposed here. The bill says that the competent minister "may consult". We're proposing that this be changed to "shall consult".

We're saying that the role of the competent minister is to consult and that indeed, it is his right to do so.

[*English*]

The Chair: Here's one of those cases where, if we accept this, we're going to be amending it, because there will be an addition later on with the NDP.

Mr. Martin, do you have debate on this Bloc amendment?

Hon. Keith Martin: May I make the proposal that BQ-2 be shelved in favour of NDP-9, which I think meets the standard of what the Bloc wants but is more comprehensive and explicit. So if you look at NDP-9 and BQ-2, you'll find that, in effect, what the Bloc wants to do is embraced by NDP-9, but NDP-9 is clearer and more specific.

[*Translation*]

Ms. Diane Bourgeois: It's not the same thing at all. To say that "the competent minister shall take reasonable steps" implies that he can simply ask someone in his office to consult. Our amendment, on the other hand, says that the competent minister shall consult with NGOs and officials in the field. It's entirely different.

[English]

The Chair: I see in English the word “shall” twice. I see that “may” has been removed and “shall” is included. Are you saying that the French version is different?

Go ahead, Mr. Regan.

Hon. Geoff Regan: I think what she's saying is that there's a difference between her amendment and the NDP amendment. Right?

•(1655)

[Translation]

I have a problem with the Bloc's proposed amendment. It's not clear to me when the minister must consult with international agencies and Canadian NGOs. Does this mean that for each project, the minister will need to consult with every single international organization and every single Canadian NGO? I'm wondering if that's realistic. That's why I prefer the NDP's amendment which calls for the competent minister to take reasonable steps to consult. I prefer this wording.

[English]

The Chair: Thank you, Mr. Regan.

Madame St-Hilaire, Madame Bourgeois, Madame McDonough, and then Monsieur Goldring.

Go ahead.

[Translation]

Ms. Caroline St-Hilaire: I have two things I'd like say.

First, which amendment are we currently examining?

If we're looking at the NDP's amendment, then could someone explain to me what is meant by “reasonable steps to consult”?

It's all quite vague.

[English]

The Chair: First of all, I want to explain the process. We're dealing with the Bloc amendment, but it's incumbent on the table to at least let us know. If we pass this amendment, we will not be dealing with the NDP amendment. If we pass this amendment, that negates the NDP amendment. So if there's no way of getting a friendly amendment, then we will vote on your amendment. If it fails, we go to the NDP one.

Continue, Madame St-Hilaire.

[Translation]

Ms. Caroline St-Hilaire: I simply wanted some clarification, Mr. Chairman. My colleague has presented her amendment and I wanted to speak out on the NDP's amendment. I wanted to avoid any confusion.

Could someone clarify for me the meaning of “reasonable steps to consult”? To me, that wording is very vague.

Moreover, as Ms. McDonough has often pointed out, we must remember that this bill, which was long talked about, was introduced because of a desire for openness and cooperation with different NGOs. I believe it's important that we consult them.

Therefore, I intend to vote against the NDP's amendment.

[English]

The Chair: Madam McDonough.

Ms. Alexa McDonough: In some ways, I find myself in the peculiar position of voting against “shall” only because it's intended. I support the general intent or the general aspiration in the amendment that has been proposed, changing “may” to “shall”. But we need to acknowledge that there are a lot of situations in which there could be unreasonable demands for the minister to consult when it's simply not appropriate or not necessary. For one thing, a lot of agencies, a lot of NGOs, say, “For God's sake, will you stop consulting to death and get on with making a decision and support us”, or, “Are you going to ask us yet again to consult when we've made the point, we've made the briefs, and we appeared before the committee?”

So unless people are going to say ministers have no competence to make a judgment, we have to be prepared to say that a minister has an obligation to exercise their judgment, and yes, they shall consult when it's the appropriate and reasonable thing to do, but they aren't compelled to consult when it's not necessary or not reasonable.

So I'm going to vote against the “shall” amendment and urge people to consider that the next amendment before us is a more reasonable one, namely that we shall take reasonable steps to consult.

The Chair: Thank you, Madam McDonough.

Mr. Goldring, Madame Bourgeois, Mr. Obhrai, and Mr. McKay.

Mr. Peter Goldring: Thank you, Mr. Chairman.

I would tend to agree with utilizing the word “shall”, but to add a little more clarity to it, I would suggest that we add another word to this, that being the word “governments” after the words “consult with”. That would give you “consult with governments, international organizations or members of civil society”. I think it's important that the government be consulted along with the international organizations and members of civil society.

•(1700)

The Chair: So you're saying that we would consult with the governments of those other countries?

Mr. Peter Goldring: Yes.

The Chair: Madame Bourgeois.

[Translation]

Ms. Diane Bourgeois: Mr. Chairman, we're here to do our work as parliamentarians. I think we're overly cautious when it comes to forcing a minister to act. We behave like a bunch of nervous Nellys! We don't dare impose any kind of requirements on a minister, for fear that one day we might be in power ourselves and find our hands tied by a certain piece of legislation. Let's be honest.

The word “shall” obligates the minister to consult with the people in the field, to go and see what's being done, and to consult with international organizations, perhaps with our deputy ministers or our ambassadors.

What are people here afraid of?

Consider, for example, “the obligation to exercise one's judgment”. Admittedly, we have had governments with very little judgment. We have had ministers who have shown very little judgment.

What is so scary about the word “shall”? Why the reluctance to use it? We're talking about public development assistance and initiatives to fight poverty. Could we consult with front-line workers? Are you up to the challenge, or is the Bloc Québécois the only party that is not afraid?

[English]

The Chair: Thank you, Madame Bourgeois.

Mr. Obhrai.

Mr. Deepak Obhrai: Thank you.

To the point Mr. Regan and the others raised, currently, as far as we know, the government consults, and as Madame McDonough said, maybe sometimes too much time is spent. But we do the consultation for every project, so it really is not something new. It's already there, basically. But I think what we should add in there is that we should not restrict it by just certain organizations. We want to also consult with governments. So if you can make it in a broader sense, “shall consult with governments”, and you add the other organizations so they have the broader...

I think, because we already do it as part of CIDA, there should be no difficulty with it. We don't see any difficulty with it.

The Chair: I think most governments do their consultations with governments. You're saying they “shall”. They already “may” consult with governments, NGOs, and all those. It's being done. I think all governments do that when they hand it out, but you're now making it a mandate to do that. It's a good point.

Mr. McKay, then Madame St-Hilaire, and then whoever else wanted in.

Hon. John McKay: The origin of this “shall” amendment comes from the fact that this bill requires a royal recommendation unless the petitioning process and the advisory committee are deleted by this committee. Therefore, that would have left the bill absolutely useless, because you would have had a word like “may”—they may consult or, on the other hand, may not consult. That's the reason for the initial choice of the word “shall”. That, in and of itself, may—enough of this and that—trigger another round of royal recommendation anxiety, shall we say, with respect to this bill, hence the softening of the word “shall” with “shall take reasonable steps”. That is the point of the NDP amendment.

While I'm very sympathetic to the Bloc amendment, I'm somewhat concerned that, even if this committee passes the bill—as I hope it will—if it goes back in the House, then I'm into another round of royal recommendation. I don't want that, and I don't think anybody else wants that.

The second benefit of the NDP amendment, and to be preferred over the Bloc amendment, is that it includes civil society organizations, which will be defined in the course of the bill.

The third is that it has attached to it a friendly amendment from me to the NDP, which I draw to the committee's attention, which says:

in calculating Canada's official development assistance contribution in Government of Canada publications, the competent minister or Governor in Council shall consider only development assistance as defined by this Act and by the criteria in subsection (1) and humanitarian assistance.

It's the “if it ain't aid, don't call it aid” clause. That's the point of this bill. The NGOs have been saying to this committee, not only in this incarnation but in previous incarnations, that there's a lot of leakage—not a lot; there is some leakage. This bill is an attempt by the Parliament of Canada to bring it back on track where Canadians want it, which is in the area of poverty alleviation.

I think members need that background when considering whether to prefer the Bloc vote over the NDP vote, or the NDP vote over the Bloc vote. I appreciate the clerk's bringing to our attention that to vote for one would be inconsistent with voting for the other.

• (1705)

The Chair: Madame St-Hilaire, then Madame McDonough.

[Translation]

Ms. Caroline St-Hilaire: Mr. Chairman, I'm having a few problems.

First of all, I asked a question and I'm still waiting for an answer. What do you mean by “reasonable steps”? My NDP colleague made a comment that confirms what I've believed from the outset. Basically, we're leaving the minister considerable room to manoeuvre, which quite frankly, waters down the amendment.

Our purpose in bringing forth this amendment was to ensure that the minister consults with parties. Now, you're saying that the minister can consult whomever he wants, whenever he wants. To my way of thinking, the NDP amendment is obsolete. You may as well leave the clause as it was. To say that the minister “shall consult” or “may consult” amounts to the same thing, in my opinion. The expression “may consult” is much like saying that he takes reasonable steps to consult whomever he wants, whenever he wants. There's no difference. All you've done is make a small linguistic change which really doesn't change much.

The amendment also says: “consults with international agencies and Canadian civil society organizations”. While we're at it, why not list other ones. That's the first point I wanted to make. I'm waiting for someone to tell me what is meant by “reasonable steps”.

I'm quite willing to believe that Mr. McKay's amendments are friendly amendments. However, we have only received them in English. You have them only in English as well, but it's hard for the interpreters, and for us, to work. I have to say that this is not very nice for us, Mr. McKay. That's the second point I wanted to make.

[English]

The Chair: Well, the nature of a friendly amendment is that it usually comes from the floor and it's...all right.

Madam McDonough and Mr. Goldring.

Ms. Alexa McDonough: I acknowledge in part the point that my Bloc colleague has made, that to suggest an amendment, as I have done—and will reintroduce following this, after we dispense with the proposed Bloc amendment—introducing the notion of “shall take reasonable steps” is to make it less compulsory. In other words, it doesn't apply in every single, solitary case, but I think it's stronger than “may”. Wouldn't we all acknowledge that there are many situations in which consultation would be an unreasonable thing to be expecting either of a civil society group or of the minister, given circumstances that require judgment?

So I acknowledge the point, but I guess I would ask for consideration of the kinds of situations in which overburdened civil society groups would say, “Oh my God, please can't we get on with it, let's not consult again.”

I'm sorry, I don't want to repeat myself.

The other thing is that somewhere lost in this, I think—I'm looking at Deepak here—I believe Deepak suggested the notion of adding “governments”. Although I'd be interested in hearing other views in case I'm missing something, I actually think it could be a good idea. I might be persuaded by someone else's argument, but at the moment I'm inclined to think that would be sensible, and based on some discussion, I am prepared to consider it as a friendly amendment to my next proposed amendment.

For this reason, I actually think it should say something like “affected governments” or “appropriate governments”, because—and one of the most recent examples that came to my attention, and I'm sure it came to many other members' attention—when the Canadian Federation of Municipalities' international development representatives were on the Hill last week, they actually brought forward a concern about really tremendous work getting done, municipality to municipality, in various countries where actually the municipalities don't get appropriately consulted.

I may be jumping ahead of myself, but I didn't want us to lose sight of that proposed amendment. I tend to see it as an appropriate friendly amendment, but I would like to hear any counter arguments before I say I'm prepared to vote for it.

• (1710)

The Chair: I'm going to Mr. Goldring and then Mr. Obhrai.

Mr. Peter Goldring: Yes, for my Bloc colleagues—and I guess this is a matter of process—if I would ask you to include a friendly amendment in yours, adding that word “governments” in with it before “international organizations”, is that the process?

To explain why, I agree with Ms. McDonough that there are levels of government that perhaps are not consulted now. There are also comments made by President Préval from Haiti, where he had a dissatisfaction with the consultations that were given him and he expressed interest that we had better coordinate efforts. I would think behind that is that we had better consult with his government on what actions we're taking in areas.

So I think it's important to include “governments”. Is the process to ask of our Bloc colleagues if they would include that in your motion?

The Chair: Madame Bourgeois.

[Translation]

Ms. Diane Bourgeois: How would the amendment read, Mr. Goldring? Could you speak more slowly? There's a slight problem with the interpretation.

[English]

Mr. Peter Goldring: Going from your amendment to “the competent minister shall consult with governments, international agencies, and Canadian non-governmental organizations”, we're just inserting the word “governments” directly after “with”.

The Chair: Mr. Obhrai was next, but I want to go to Madame St-Hilaire or Madame Bourgeois to respond to that specific amendment.

[Translation]

Ms. Caroline St-Hilaire: I think the subamendment is interesting. However, I would say “les gouvernements”, rather than “des gouvernements”. Aside from that, it's fine.

Ms. Diane Bourgeois: It's the principle of democracy.

[English]

The Chair: We're at Mr. Obhrai and then Mr. McKay.

Mr. Obhrai.

Mr. Deepak Obhrai: I just want to go to Alexa's point, although it does not change the substance. This is in reference to what you just said about the municipalities coming and talking to us. They came and talked to us, and to me too.

You know, by restricting municipalities to municipalities, as you said, the relevant government authorities.... In many of the countries where you're working, these relevant government authorities have absolutely no power, and we would actually be shut out from any of these things, you know. So just to say the word “government”, in the broader sense, allows us to see what authorities there are over there and to work with the authorities at that level, or at a level lower. So let's allow ourselves a little bit more room in that.

That was my point. But anyway, the Bloc has accepted.

The Chair: Mr. McKay.

Hon. John McKay: Just to go back to the issue of government, I point out to colleagues that international agencies are generally creatures of governments. So the UN is an international agency, the World Bank is an international agency, the IMF is an international agency—and you can probably name more than I can—and all are creatures of governments and all report to their governments. That's the way international aid has been distributed in the past. We phrased it that way intentionally so it was actually broader than merely “governments”.

The second point is with respect to Caroline St-Hilaire's issue of reasonable steps. I appreciate that you may perceive that as something of a watering down. I don't want to be blindsided by a royal recommendation after this comes out of here. To be candid about it, the only way the minister is going to be able to satisfy her or his obligations under this bill is effectively to do a back-door committee.

That's why I would argue for the modifying language of "shall take reasonable steps". That's also consistent with some of the evidence that we heard. The NDP amendment also brings in the concept of civil society organizations, which is also responsive to evidence that we heard, and which we wanted to accommodate.

Those, if you will, are the reasons I would move away from your amendment towards the NDP amendment, while appreciating that you have hit the nail on the head as far as moving "may" to "shall", because it's still an obligation of the minister.

• (1715)

The Chair: Thank you, Mr. McKay.

Mr. Martin.

Hon. Keith Martin: I just wanted to caution us in terms of trying to restrict this too much, because when CIDA operates in an emergency, you really don't have time to do the type of consultation that people are suggesting with these changes. If you were to obligate a minister to take this course of action and engage in all these consultations, then you would really be depriving those who are victims of a calamitous event of receiving the aid they need to have in a timely fashion.

I would just suggest, in keeping with the spirit of what we have here, that the competent minister shall consult with international agencies, Canadian NGOs, and other relevant institutions. Then you've covered the breadth. You've made it stronger, but you haven't made it so restrictive as to inhibit the ability of CIDA to operate in a timely fashion, particularly in cases of emergencies when lives hang in the balance with every passing moment.

The Chair: I think the next clause basically deals with emergency humanitarian assistance.

Hon. Keith Martin: Clause 2 affects clause 4, and it just causes a restriction that is unnecessary in dealing with those emergencies. If you're dealing with an emergency in clause 5 and you have to apply subclause 4(2) to clause 5, you're really putting a rock around the minister's ankle.

At the end of the day, the final arbiters on the behaviour of the minister or the government are the people of Canada during an election. They will say thumbs up or thumbs down, and we all live or die by that sword.

The Chair: Thank you, Mr. Martin.

Madam McDonough.

Ms. Alexa McDonough: That's a complex question. We've had a full discussion on it.

The Chair: Madame St-Hilaire.

[*Translation*]

Ms. Caroline St-Hilaire: Thank you, Mr. Chairman.

Despite what Mr. McKay has just said, I want to come back to my initial comment. I don't understand the meaning of the NDP's amendment. The amendment contains the exact same wording as subclause 4(2). Therefore, I don't see the point of replacing "In arriving at the opinion [...], the competent minister may", by "shall take reasonable steps".

I don't understand the amendment at all. Neither Ms. McDonough nor Mr. McKay has answered my question. As for Mr. Martin's comments, the point, as you said, is clarified in clause 5.

[*English*]

The Chair: Madame Bourgeois.

[*Translation*]

Ms. Diane Bourgeois: Mr. Chairman, I just wanted to say that Mr. Goldring's amendment is entirely in keeping with what every country, or democratic organization has a duty to do, namely consult with governments. That was the purpose of our last trip.

Therefore, I don't have any problem with Mr. Goldring's amendment. For the sake of transparency, I feel that all committee members should support the Bloc's amendment.

[*English*]

The Chair: Mr. McKay.

Hon. John McKay: If the committee is inclined to accept the Bloc's amendment, I just want to draw the committee's attention to, and ask that the Bloc entertain, two friendly amendments on civil society organizations and in calculating Canada's official development assistance. Both of those things are in your package.

They are attached to NDP-9, not Bloc-2.

• (1720)

The Chair: Can you explain to us the difference between the Bloc and the NDP motions if they're going to include all that?

Hon. John McKay: They would be the same motions, with the distinction that the NDP one would include the modifier, "take reasonable steps". The Bloc amendment would not include that.

The Chair: I don't think I can rule that as a friendly amendment, because they have spoken—

Hon. John McKay: It's up to them whether it's a friendly amendment.

The Chair: It is, but that's the body of their defence of what they've—

Hon. John McKay: I don't think so, Mr. Chairman.

The Bloc says "shall". The NDP says "shall take reasonable steps". If it just says "shall" and nothing else, we lose the redefinition of civil society organizations and we lose the "if it ain't aid, don't call it aid" amendment I put forward. I don't want to lose those two, which are pivotal to the overall bill.

Just so members understand what they're voting on, I hope the NDP will perceive both of those as friendly amendments so I don't lose the entire baby with the bathwater.

The Chair: I'll tell you what we could do, and again it depends on how the Bloc and the NDP want to work this. Rather than get into all that, we could pass the Bloc amendment and move a subamendment after this one is passed to include a new amendment on the.... We do have a friendly amendment here listing government.

Hon. John McKay: That's a separate issue. You had already ruled that BQ-2 was inconsistent with NDP-9, and that if you passed BQ-2, you couldn't pass NDP-9. There are important elements in NDP-9 that would be lost if BQ-2 passes, and I don't want those to be lost.

How you do that is another issue.

The Chair: We haven't really had a friendly amendment moved here. We've had a suggestion by Mr. Goldring put to the Bloc.

Do you want to make a motion to have that as a friendly amendment to the Bloc one?

Mr. Peter Goldring: Yes, and I appreciate the Bloc's consideration. I'd like to make it a formal motion that the word "governments" be added to their motion.

The Chair: All right. It would then read:

(2) In arriving at the opinion described in subsection (1), the competent minister shall consult with governments, international agencies and Canadian non-governmental organizations.

Is that acceptable to the Bloc?

It's acceptable to the Bloc.

That's what we've been talking about throughout most of this time, so I don't think we need any more discussion on it, do we?

Madam McDonough.

Ms. Alexa McDonough: I want to indicate that I'll be voting against it, and I want to urge others to do the same, because we will have lost the reference to Canadian civil society organizations, as John McKay pointed out.

But I want to make it clear that I'm voting to defeat it not because I'm not favourable to the inclusion of "governments". If we defeat this, we can add the consultations with governments to the next amendment that's before us.

The Chair: All right. Do we accept this amendment?

Madam St-Hilaire.

[*Translation*]

Ms. Caroline St-Hilaire: I merely want to be certain that we understand one another clearly. The subamendment of Mr. Goldring is in order; we agree with that, but I think we can also hear from and include civil organizations. I don't have a problem with that.

Ms. Diane Bourgeois: It's the democratic way.

Ms. Caroline St-Hilaire: Therefore, our amendment can be adopted—

• (1725)

[*English*]

The Chair: How is Mr. Goldring with that, not that it's separate? He's all right with that too.

Hon. John McKay: What about the other one that I've added in, about official development assistance?

The Chair: We'll just have you read it before we vote on it.

Hon. John McKay: What it should come down to is that the only thing that members are voting on is the modifying phrase "shall take reasonable steps" versus "shall". If you have a clear vote that way, then everybody will understand what they're doing.

The Chair: That's basically what we're taking out of the NDP motion. The Bloc doesn't want "reasonable steps", they want "shall consult", and we have then included "governments".

Actually, maybe I'll just have legislative counsel read it, as he understands this.

Mr. Michael MacPherson: As I understand it, we have a subamendment from Mr. Goldring to BQ-2, which everybody has on page 10 of the package. That would then read:

subsection (1), the competent minister shall consult with governments, international agencies and Canadian civil society organizations.

That's the subamendment.

The Chair: Excellent. Let's call the question then.

Mr. McKay.

Hon. John McKay: What then has happened to my friendly amendment to the NDP one, in calculating...? Are you prepared to do it afterwards? It has to attach itself to something.

The Chair: No, we can't.

Hon. John McKay: Caroline, why don't you take it on?

The Chair: Mr. McKay, can you give us your—

Hon. John McKay: You already have it.

The Chair: Read it as amended with Mr. Goldring's amendment, including your—

Hon. John McKay: I would add a subclause (3) that says "in calculating Canada's official development assistance". You have it there.

The Chair: We can do that in a separate amendment. It doesn't take away from the NDP amendment, right?

For this complete one, John, "in calculating Canada's official developmental assistance contribution in Government", etc., I think it can be done in a separate amendment. That's making this a little—

Hon. John McKay: It was going to be part of the friendly NDP motion. I just want to be part of the friendly Bloc motion. We're friends here.

The Chair: I think we're going to call the question on the Bloc amendment, with the subamendment from Mr. Goldring, all right?

We'll call the question on the subamendment.

(Subamendment agreed to [See *Minutes of Proceedings*])

The Chair: Now we're on that amendment as amended. Again, that would now read:

In arriving at the opinion described in subsection (1), the competent minister shall consult with governments, international agencies and Canadian civil society organizations.

(Amendment agreed to [See *Minutes of Proceedings*])

The Chair: We now have made some headway here today, and we're just ready to leave.

Hon. John McKay: Mr. Chair, can we move on that last one before we leave?

The Chair: I'll tell you, Mr. McKay, I think we're going to conclude, as the agenda said, at 5:30. Wednesday—

Hon. John McKay: We've got 15 seconds. That's fine.

The Chair: No, my clock says 5:30.

•(1730)

Hon. John McKay: Well, mine says 5:29.

The Chair: We'd still encourage you to get any of those amendments in. We'll be coming back to this as soon as possible. If we have some of these submitted, I think it can speed up the process, as well. Now that we've seen most of these amendments, and we recognize which direction we want to take, I think the next day should be fairly quick.

Madam McDonough, did you have something to add?

Ms. Alexa McDonough: I was only going to reiterate that if we had some of the friendly amendments that you've brought in today in writing and before us, they could be translated for the francophone members, and we'd be able to move more quickly, because we'd really know what they were.

So can we ask everybody to try to put any friendly amendments that they have in mind into writing so that they can be properly translated, out of respect?

The Chair: I think some of the individuals here felt there'd be a better chance of getting this bill if it was moved from the opposition, and so they didn't.

If there are some amendments that you can submit, we would encourage you to do that. It would speed the process up.

We are adjourned.

To the Liberal members, good luck in your convention. To the Bloc and the NDP and the Conservatives, have a good weekend.

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