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Standing Committee on International Trade

Wednesday, April 30, 2008

• (1535)

[English]

The Chair (Mr. Lee Richardson (Calgary Centre, CPC)): Welcome to the 28th meeting in this session of Parliament. The Standing Committee on International Trade is continuing its discussion of free trade negotiations between Canada and Colombia, with a focus on how environmental impacts and human rights concerns are addressed in trade agreements.

We have two groups of witnesses today. We're going to begin when everyone is seated. We'll probably go for about 55 minutes and then take a brief break before we begin the second round.

I'll begin by introducing our guests. We have John Masswohl, from the Canadian Cattlemen's Association; it's nice to see you back again, John. From the Canadian Federation of Agriculture, we have Bob Friesen; and from the Canadian Sugar Beet Producers' Association, we have Bruce Webster. I think they all have something specific to say, so I'm going to ask them all to give a brief opening statement, and then we will go to questioning. We'll probably get through at least one round and hopefully two.

I don't think we have any other business. Is there anything else we need to deal with today?

Very well, we'll begin. I'm going to ask Bob Friesen from the Canadian Federation of Agriculture to begin.

Mr. Friesen, the floor is yours.

Mr. Bob Friesen (President, Canadian Federation of Agriculture): Thank you very much, Mr. Chair.

Thank you for the invitation. It certainly is a pleasure to be here, and to be here with my colleagues, Mr. Masswohl and Mr. Webster.

I'm going to be very brief.

Basically, we applaud the federal government for engaging in bilaterals. We sent a letter to Minister Emerson some time ago, asking him to spend more energy and more resources on bilaterals. While we say that the WTO should be the primary forum in which we develop fair and equitable trade rules, we do know that other countries are doing bilaterals, and we're at risk of either losing the preferential market access we already have or of losing the preferential market access we might otherwise get if we were a little faster out of the gate when it comes to bilaterals.

As you well know, the U.S. already has an agreement that they're trying to vote on. At the very least, we want to be on a par with what the U.S. is getting, so while we applaud them for engaging in this negotiation, I think you will hear from both of the gentlemen with me here that it's not yet exactly where it should be.

Colombian exports to Canada are largely tariff-free. We import coffee and bananas from Colombia, and there's a very small tariff on cut flowers, but essentially they're tariff-free, while we are still facing tariffs in Colombia with some of our very important exports, such as wheat, barley, peas, lentils, and beans.

We do have potential on.... I'm not going to go in too deeply, because Mr. Masswohl is going to cover that one; Mr. Webster is going to cover the sugar situation and identify what still needs to be done in that area, but certainly wheat, barley, lentils, peas, and pork still face tariffs in Colombia.

We don't have a very large pork market in Colombia. However, because their middle class is growing and because the pork industry is shrinking in Colombia, Canada Pork International and the Canadian Pork Council feel that there may be good potential there in the future.

We currently have a trade deficit with Colombia: we export about \$200 million and we import about \$280 million. As I already said, we still face tariffs.

It's an interesting situation. I was reading the blues when the department was here, and this will be familiar to you. Colombia clearly needs our products, because their applied tariffs are much lower than their bound tariffs. However, they use the relationship between applied tariffs and bound tariffs as a safeguard. They offer our exports at a fairly low tariff, but if suddenly we sell for too low a price in Colombia, they can, of course, increase those applied tariffs to a maximum of what their bound tariffs are. It allows them a lot of flexibility.

We would simply like those to be eliminated the way they will be for the U.S. One could also argue that while they want our products, they use the low tariffs simply to raise cash for their country.

Again, we'd like to see the elimination of those tariffs, at the very least to where the U.S. is.

In closing, I'm going to mention two other aspects that aren't directly related to the Colombian trade agreement but are directly or certainly related to all the trade agreements that we do.

One has to do with transportation. As you know, wheat and barley are very important products for our exporters into Colombia. Our farmers in western Canada still pay a huge amount of freight to export that grain. That's why CFA and others have called for a full costing review on freight; if our producers have to pay too high a level of freight, it makes them less competitive in the international marketplace.

You know that we're still using 1992 numbers when it comes to the calculation of revenue caps for railways, and our farmers are victimized by the fact that we have a railway monopoly. We'd like to have a close look at that. In fact, the House of Commons agriculture committee did pass a motion that the impact of freight should be under consideration in that process, and we would like that added to the level of service review that the minister has already mandated.

• (1540)

The second one, and my last point, is that when it comes to trade agreements, we have to be very careful what we implement in Canada. We are very concerned with the mandatory GMO labelling bill that's currently in the House. There are all kinds of arguments why that will not work for agriculture, why it will put us in a vulnerable position with those countries with whom we have trade agreements.

I would just simply ask the members to consider those two issues as we talk about trade agreements and trade negotiations.

But suffice it to say, our agricultural industry needs development of export markets, and we need more and more profitable market access in other countries because that's how our agricultural industry can grow. It provides a very important contribution to our Canadian economy.

Again, we applaud the government for engaging in bilaterals, but we need to negotiate more to make sure it works out the way we need it to work out with regard to the U.S. We have a very integrated agricultural industry with the U.S., and that makes it even more important that where the U.S. gets deals like they're getting in Colombia, we get similar deals as well.

Thank you very much, Mr. Chair.

The Chair: Thank you, Mr. Friesen.

I'd like to ask Mr. Masswohl now to tell us about the cattle situation, if you could, and then we'll find out about sugar beets.

Go ahead, sir.

Mr. John Masswohl (Director, Governmental and International Relations, Canadian Cattlemen's Association): Thank you, Mr. Chairman, and thank you for the opportunity to appear before you again.

The Canadian Cattlemen's Association also appreciates and applauds the government's efforts to open markets for Canadian exports and Parliament's willingness to seek our input into the content of these new agreements.

The last time I was here to speak about Korea, I stressed the importance of Canadian beef being treated at least as favourably in our agreement as U.S. beef is treated in the Korea-U.S. agreement.

With respect to Colombia, we're really in a very similar situation right now.

Upon learning the results of the U.S.-Colombia agreement and consulting with Canadian officials as to the status of our negotiations, the CCA, along with the Canada Beef Export Federation and the Canadian Beef Breeds Council, felt it was important that we travel to Colombia and meet with our counterparts. We did that in early March, and we had excellent meetings with the Colombian Cattlemen's Federation—they're known as FEDEGAN—and we also met with the various breeders' associations. We met with key officials in charge of what is the Colombian equivalent of the Canadian Food Inspection Agency. We also met with beef processors, food service representatives, and large retailers.

Our impression is that Colombia has the potential to be an important future market for beef exports. It's a market with a growing middle class. Furthermore, it's a country that seems to be emerging from a history marred by many serious issues. The cattle industry in particular appears to be on the verge of getting its longstanding foot-and-mouth disease problem under control, and it seems eager to position itself to start to become a player in the global marketplace. All of this leads us to believe that a free trade agreement with Colombia could be a positive development for Canadian cattle producers.

But as far as beef is concerned in the proposed Canada-Colombia free trade agreement, I would have to say that the jury is still out. Colombia has agreed to provide U.S. beef with much better access than they're currently offering to Canadian beef. Colombia has agreed to consider three categories for U.S. beef. First, all highquality U.S. beef—so that's any cut coming from a carcass that grades as "prime" or "USDA Choice"—will enjoy unlimited, immediate, duty-free access into Colombia. The standard-quality U.S. beef—so that's the lesser grades—will receive duty-free access up to a limit of 2,100 tonnes until the tariff is completely eliminated over five years. Finally, U.S. variety meats and offals, including liver, will receive duty-free access up to a limit of 4,642 tonnes until the tariff is completely eliminated over 10 years.

We don't think it's really advisable to discuss the particulars of what Colombia has offered to Canada, in that this is a public forum, but I can tell you that what they are offering Canada right now is far less than what they have given the U.S.

When we visited Bogota, we made a proposal to FEDEGAN, outlining the terms of access that would be acceptable to the Canadian cattle industry, and so far we're waiting to hear their reply. I have been in e-mail contact with them frequently and I know they're working on a reply, but so far the ball remains in their court.

Nevertheless, I want to give you a flavour of the meetings we had with FEDEGAN. FEDEGAN indicated that they very much wanted to establish a free trade agreement with Canada. Currently, their only export market for Colombian beef is Venezuela. But when they receive their FMD-free status—and they are expecting to get that status at a meeting that's going to occur in Geneva later this month they are hopeful that new export opportunities for their beef will arrive. FEDEGAN also explained that they represent both the dairy and the beef cattle industry in Colombia, and that since Canada will not allow access for any dairy products, they find it difficult to agree to Canada's requests for improved access for beef. This seems to be a common issue that we hear in many of Canada's free trade negotiations and at the WTO, that Canada's narrow defensive interests are undermining the interests of our much broader, exportoriented sectors. FEDEGAN also explained a number of reasons why they felt Canada should not get as good a deal as the United States.

We refuse to agree that Canada is a lesser market for our trading partners or that we should settle for less. We may not be as large as the United States, but Canada is a sophisticated, high-income market that could be of great potential for many Colombian products. Furthermore, if Colombian beef or other products are sufficiently processed in Canada, they may meet the requirements of the NAFTA rules of origin and allow those further-processed products to be exported to the United States under the terms of that agreement.

• (1545)

But beyond the principle that Canada should not settle for less, the Canadian beef industry has very strong economic reasons, which I outlined the last time I was here, why we can't accept a deal that is inferior to the access provided to U.S. beef. Every time the U.S. gets better access for its beef than Canada, it becomes more difficult to justify slaughtering cattle in Canada, and we increase our reliance on shipping live cattle to the U.S. and letting them add the value there.

Competitiveness of our processing industry is a major area of concern, and consolidation of the industry is now a daily reality. The rapid ascent of the Canadian dollar has exposed significant competitive challenges in the Canadian beef processing industry, from government regulation, inspection fees, labour availability, etc. If U.S. meat packing facilities have export opportunities for a broader range of beef cuts than Canadian facilities, an already challenging competitive situation becomes worse.

The last time I was here I used the analogy that if we settle for field goals every time the U.S. scores a touchdown, sooner or later we're going to be out of the game. So we don't want to see that continue to happen.

For the time being, the Canadian Cattlemen's Association supports continuing the negotiation of an agreement with Colombia. With the right terms of access, we could be a strong supporter of a Colombia-Canada free trade agreement. But we really want to caution the government not to be too eager to agree to terms that do not provide parity in beef access with the United States.

Thank you.

The Chair: Thank you, John.

Now from the Canadian Sugar Beet Producers' Association we have Bruce Webster.

Mr. Bruce Webster (Executive Director, Canadian Sugar Beet Producers' Association Inc.): Thank you, Mr. Chair and members, for hearing us today on important matters concerning the Canada-Colombia free trade agreement. Since sugar beet is a relatively rare crop in Alberta and Canada, I'll briefly describe our background. We are called the Canadian Sugar Beet Producers' Association Inc., which was founded in the 1940s. At that time, sugar beet production occurred in five provinces of Canada. What I represent here today is the balance of the integrated industry that exists in southern Alberta on irrigation. About 250 farmers produce sugar beet in southern Alberta.

We have transformed ourselves greatly in the last few years and now operate off the open market for our revenues, which is why the terms of trade agreements are very important to us. It should also be noted that since the 1995 crop, there has been no price support on sugar beet in Canada. In 1995, the sugar beet farmers in southern Alberta voted unanimously to ask the federal and Alberta governments to end our price stabilization program. Since that time we've changed our business to survive off the market.

This plays into our general opinion on free trade agreements. We want to participate in international markets, and we want those markets to be open on free and fair terms. To date, our experience with free trade agreements that have been negotiated has not been good. I can use the analogy that we're the untold chapter of the Charles Dickens novel, *Oliver Twist*. When Oliver goes and asks for "more, please", the big cook behind the kettle grabs our gruel and gives it to Oliver. That's been our experience with free trade—it's one-way trade. Canada has been unsuccessful in negotiating the greater access we want.

Before the modern era of free trade agreements, we had free trade in sugar with the United States, and that was negotiated away to nothing. We've grown that to 10,300 tonnes of raw value of sugar, which has to be beet sugar from southern Alberta. So our main advice to the Government of Canada, as it's negotiating a free trade agreement with Colombia, is that we don't want the unsuccessful pattern in sugar negotiations that has occurred to date to repeat itself. Colombia has a fully modern sugar industry. It is very competitive. It is one of the highest production-per-acre areas in the world. There's no reason, as there might have been in some of the smaller negotiations, to give asymmetrical access to our trading partner or not give us any access at all.

We think it's very important in this negotiation to stand by a few general points when talking about sugar. First, we think that any tariff-free quota negotiated with Colombia should be limited to a very small volume, and I'll explain why. The TRQ should be implemented over a long timeframe, and Canada should maintain its normal refined sugar tariff on any volume above the tariff rate quota that is negotiated with Colombia. Most importantly, we should have reciprocal access. If Colombia can sell sugar at better terms than Canada, we should be able to sell sugar to Colombia. Colombia does import a lot of sugar, and there is no reason why Canadians should not participate in that market. It has to be reciprocal access. If we give a tonne of access to our market, we need a tonne in the Colombian market. So we would not favour asymmetrical access or even zero access.

There are a couple of things on the general topic of what this committee is looking at that I thought would be of interest, and they come from the *Colombia Sugar Annual 2008*, out of the USDA Foreign Agricultural Service. We don't have to look at Colombia and say the only thing they can do with land that's in cane production is produce cane and sell it to Canada. There is ethanol sugar beet in development, which would allow two crops a year to be grown on perennial sugar cane land. One crop of ethanol beet would produce ethanol for fuel for local inhabitants, and the second crop could be produced on that land as a food crop for the people in Colombia. So I don't think we have to accept any Colombian position that the only thing we can do is take this cane sugar and sell it in Canada.

• (1550)

I'd also point out that Colombia has a sugar price stabilization fund. There's a levy on internally consumed sugar in Colombia that would directly or indirectly be an export subsidy on sugar sales to Canada and other parts of the world. Both Colombia and our association are members of the global alliance for liberalized trade in sugar, and we should be very cautious about what Colombia might do with that sugar price stabilization fund because we operate off the world price of sugar in Canada. It would almost be automatic that some draw would be put on that stabilization fund to finance either the Canadian exports or other exports to the world market that would in effect have an export subsidy.

In summary, then, we would like real free trade. We don't want to see a repeat of Costa Rica, where we got asymmetrical access and the Government of Canada said we could probably grow potatoes because we're getting french fry access into Costa Rica. Well, the french fry imports were stymied in Costa Rica.

And as Mr. Friesen can attest, at a CFA trade committee last fall, we were talking with a potato farmer from Prince Edward Island who said we can't get our potatoes to Trinidad and Tobago any more because they're coming from Costa Rica. We lost out on a triple play in that Canada-Costa Rica free trade agreement on agriculture, starting with the poor negotiating position for sugar.

I guess all I can say is, "Some please". That's our attitude to free trade: yes, we want to participate.

Those are my comments, Mr. Chairman.

• (1555)

The Chair: Thank you.

With that, we will begin our round of questioning. I think because of the shortness in time we're going to have to be strict on our timing today. I'm going to have my tough clerk here keep the seven minutes, and I'm going to let him handle that.

We'll start with Mr. Dhaliwal.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Thank you, Mr. Chair.

My first question is to Mr. Webster.

You said that Colombia is very efficient when it comes to producing sugar. When you say we should give one tonne and get one tonne, how would you be able to compete there?

Mr. Bruce Webster: Well, it's a basic principle of free trade that if one person is allowed to engage in trade, the other should as well. If you refer to the Senate agricultural and forestry committee hearing from, I believe, last December 13, when we were questioned by the senators on this matter....

It happens that at this point in time the largest export market for refined beet sugar from southern Alberta is Mexico. So we can sell in foreign markets and we can compete against cane sugar.

Mr. Sukh Dhaliwal: So you have no problem competing there?

Mr. Bruce Webster: We want the opportunity-yes.

Mr. Sukh Dhaliwal: My next question is to Mr. Masswohl.

I have difficulty when you say the U.S. is doing the trade and let me go after those guys as well, because the U.S. might have an edge over Canada because of the net imports to that country.

Is there a quality issue that will get our beef into Colombia, other than just a fair trade?

Mr. John Masswohl: We want to have the same terms of access as the United States.

I didn't mention it in my presentation, but the Colombia tariff on beef is 80%—that's eight zero. As Bob mentioned, that's their applied tariff; they have a higher bound tariff. If they want to increase it, they can increase it up to 108%.

When we see that the U.S., on its high-quality beef, the prime and the choice grades, will be able to ship as much as they want at a 0% tariff right away, and we're not getting that—maybe we get a bit of a reduction in the first year, and our lower grades are even longer, and we get less access for those—it's not a competitive situation. We want to have the same access, or better, that the U.S. gets into Colombia.

Mr. Sukh Dhaliwal: How many additional jobs do you think you will create if we form a free trade agreement and are able to satisfy where you want to be in this particular issue?

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Mr. John Masswohl: I would say our beef industry is built on exports. About 60% of the cattle and beef produced in Canada is exported. About 80% of that goes to the United States. How to diversify into other markets is a constant challenge. We need these accesses. I wouldn't say it's a question of creating new jobs; it's a question of keeping the jobs in the industry that we have.

It's a reality that the U.S. has an agreement now with Colombia. It'll be ratified. I don't know when, but it will be ratified. Every time the U.S. gets rid of an 80% tariff in Colombia, or a 40% tariff in Korea, if we're not keeping pace, we are not going to keep the cattleprocessing jobs in Canada. We'll raise cattle and export the cattle to the U.S. They'll kill them there, and they'll do the value-adding in the United States. We want to keep those jobs here.

Mr. Sukh Dhaliwal: So you are suggesting that we should negotiate hard on these issues, right?

Mr. John Masswohl: Absolutely, yes.

• (1600)

Mr. Sukh Dhaliwal: Otherwise there should be no free trade.

Mr. John Masswohl: We're supporting the negotiations. Once we see what the agreement is, then we'll be glad to come back and give the thumbs up or thumbs down.

Mr. Sukh Dhaliwal: I'll now go to Mr. Friesen.

On the agriculture issues, you said we are exporting wheat, barley, and beans. There is no local competition there, but we are competing against the U.S. as well, right?

Mr. Bob Friesen: That's right, and I think that's why it's an important point, even on the question you asked Mr. Masswohl.

If my recollection is right, Colombia imports somewhere around 80% of their wheat, barley, and pulse crop needs. If we don't have the same deal the U.S. has, then the U.S. will simply fill that demand.

I mentioned earlier that our agricultural industry is very integrated with that of the U.S. We're always competing back and forth, even across our own borders. It makes it almost one market. For that reason, we need parity with the deal the U.S. is getting. It's not so much about replacing what the Colombians might be producing; it's about our ability to be able to compete against the U.S. in the same market.

Mr. Sukh Dhaliwal: How would it positively impact the middle class or the poor people in Colombia?

Mr. Bob Friesen: That's why I made the point that they obviously need 80% of their requirements. This isn't about us trying to compete or out-compete the peasant farmers in Colombia; it's about our ability to fill the same market that the U.S. might be filling. If we're not there, the U.S. will fill it anyway. We're saying give us the same opportunity as the U.S. to fill that market.

There's one other thing I forgot to mention earlier, Mr. Chair, and that is on our own ethanol industry. The Colombians are trying very hard to get Canada to eliminate the incentives that your government has generously allocated for the ethanol industry. As you know, Brazil and the U.S. are already far ahead of us. If we want to build an ethanol industry in which we don't just simply import the feedstock or import the ethanol, we simply cannot eliminate, with the Colombian agreement, the incentives that are in place for our ethanol industry.

Mr. Sukh Dhaliwal: Thank you.

The Chair: Thank you, Mr. Friesen, and thank you very much, Mr. Dhaliwal. That's perfect timing.

We're going now to Monsieur Cardin.

[Translation]

Mr. Serge Cardin (Sherbrooke, BQ): Thank you, Mr. Chairman.

Good day and welcome, gentlemen.

I was a little late getting here and I missed Mr. Friesen's presentation. I also missed a portion of Mr. Masswohl's presentation, but I did hear Mr. Webster speak.

I would like to know if each of your sectors is currently registering a trade balance. Does Colombia export goods to Canada?

[English]

Mr. Bob Friesen: In agriculture, in general, our numbers show that we import about \$280 million worth from Colombia. We export about \$200 million worth. The imports from Colombia are primarily coffee, bananas, and cut flowers. Our exports are—I'm not sure, if you already export, how much—beef, a little pork, wheat, barley, and pulse crops such as lentils, peas, and beans.

I'm not sure if I mentioned this earlier, but I should say that the Canadian Pork Council, as well as Canada Pork International, are actually leaving for Colombia this weekend to investigate what the potential is for our pork industry to develop a bigger market there. Their middle class is expanding and their pork industry is shrinking.

Mr. John Masswohl: The most recent year that we had beef exports to Colombia was 2002. We haven't exported any since they closed down for BSE in 2003. We believe that Colombia is going to reopen soon. I can't give a date.

But in 2002 we exported about \$1.1 million worth of product. It was about 1,200 tonnes. It was mostly liver. With their middle class growing, we see an opportunity to export more boneless cuts of beef. Colombia has an 80% tariff. It's very difficult to ship any beef with an 80% tariff, especially the higher-valued cuts.

Colombia doesn't ship any beef to Canada, because they have foot-and-mouth disease. We have a prohibition on countries that have foot- and-mouth disease, but we believe they're soon going to get that under control. Then we'll start to discuss the terms for opening up.

• (1605)

Mr. Bruce Webster: Canada currently exports no sugar to Colombia. In the 2006-07 time period, Colombia exported 43,000 tonnes to Canada, mainly because of a fluctuation in the European Union sugar crop, together with a price differential that allowed some exports at that point.

[Translation]

Mr. Serge Cardin: Getting back to the sugar beet industry, I understood you to say that there were 250,000 producers.

Are all of their operations based in Alberta or in the area?

[English]

Mr. Bruce Webster: The members of the Canadian Sugar Beet Producers' Association are based in Alberta. There is a sugar beet industry around Chatham, Ontario, but all of that beet is exported to Michigan Sugar, and the sugar stays in the United States as part of the U.S. sugar program.

[Translation]

Mr. Serge Cardin: You also said that this industry was highly competitive in Colombia. More than likely, this country's needs are met, given its geographic location, temperature and conditions.

Are you in a position to compete with Colombia?

[English]

Mr. Bruce Webster: The Colombian sugar industry is probably one of the highest-yielding in the world. The valleys in Colombia where the sugar cane is grown provide excellent agronomic conditions. But in southern Alberta, our sugar production per acre is well above the world average. So we, too, are very efficient producers.

[Translation]

Mr. Serge Cardin: Regarding the negotiations that are currently under way, were you in fact consulted by government officials? Mr. Masswohl, you mentioned earlier that you had gone to Colombia and that you had spoken to these individuals. My initial impression was that you were a negotiator. You seemed to imply that Colombia was not interested in lowering its tariffs so that they would be on par with US tariffs.

Do you already know what Colombia wants to do?

[English]

Mr. John Masswohl: Having learned what was in the U.S. agreement, we sat down with the officials in the Canadian government who are negotiating. They mentioned to us that in every session they've had with the Colombian negotiators, the Colombians brought their cattle industry advisers with them. So we thought it was important to go and meet these advisers. That's why we went down to Bogota. We spent two days with them. We had some very detailed conversations and we put a proposal to them.

It struck us that if the Colombians were always getting their advice from the cattle industry, it made sense for our cattle industry to speak directly to theirs, as a way of getting them to improve their offer. We're not there yet.

[Translation]

Mr. Serge Cardin: You were close to the Canadian negotiators. Did you support their efforts or were you completely excluded from the process?

[English]

Mr. John Masswohl: No, we're pleased with the information we're getting from them and the cooperation we're receiving from the Canadian negotiators.

[Translation]

Mr. Serge Cardin: Mr. Webster and Mr. Friesen, are you involved in talks or negotiations with Colombian officials?

• (1610)

[English]

Mr. Bob Friesen: Our role with the negotiators is simply to get briefings from them and then to provide input. When we do meet with other country delegations, we typically will phone our negotiators and say what is important for the other country to hear from us and what would help us to say if we talked to that country, or if we talked to any other delegation. So I would characterize it as a partnership. That doesn't mean we always get what we want, because they do have to negotiate, but I would characterize it as a strong partnership.

Mr. Bruce Webster: And then I would say we have three interfaces with the sugar trade negotiations. First of all, we're members of the World Association of Beet and Cane Growers. That's a farmers' organization. It's mainly farmers from developing countries who grow sugar cane, but it also includes some developed countries—the Australian and the European beet industries are members. We belong to the Global Alliance for Sugar Trade Reform and Liberalisation, and the Colombian sugar industry is a member of that association.

So we share the same general goals as Colombia for sugar trade. It's just that our roadblock has always been that.... We're kept informed of what's going on by the Canadian trade negotiators; it's just the result we've never liked yet. And it's not that we don't want to be free trade participants—we do—it's just that Canada has been unable to negotiate better access for us.

The Chair: Thank you, Mr. Webster.

We'll move now to Mr. Keddy.

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Thank you, Mr. Chair.

I'd like to thank our witnesses for appearing here today. It's been an open and interesting and refreshing discussion. Obviously any free trade negotiation has some challenges in it, and it's a very interesting point of view that you've brought to the table.

I've got a couple of questions for each member, and then I know Mr. Miller has a couple of questions and I'll give him the rest of the time.

On the sugar industry—and I want to be clear—what you're after is free and open access, two-way trade, and no tariffs on anyone. **Mr. Bruce Webster:** Yes, that's particularly at the WTO level. In bilateral negotiations we tend to be very vulnerable because nobody wants to listen at the other end about giving us access. We're members of the Global Sugar Alliance, and that is the position.

Mr. Gerald Keddy: And I very much appreciate that.

The only question I do have for you...you're saying that in Colombia there may be some resistance, and that Colombian farmers had some options, such as ethanol production and actually growing two crops a year. So they grow beets for ethanol, you're suggesting, and then they grow a grain crop on top of that to revitalize the land, because sugar beets take a lot out of the ground.

Is that possible in that climate?

Mr. Bruce Webster: Yes. One of the seed companies, Syngenta Seeds, made a major presentation to the world sugar industry in Brisbane last year. They have developed the ethanol sugar beet that is drought resistant, that can be grown in Sudan, Colombia, everywhere. That's our message for our negotiators. We just don't have to do what the Colombians say, because they can do other things, and we've been actively looking for other options as well.

Mr. Gerald Keddy: There is another option. Thank you.

The cattlemen's association has a bigger problem, and that's a phytosanitary regulation on beef, really. Do you think there's a real possibility of Colombia being declared free of hoof-and-mouth disease?

Mr. John Masswohl: They've described their efforts to us. Before we went down, we didn't really know who FEDEGAN were, if they were the guys to talk to. They clearly are *the* guys down there.

They are funded by a check-off. For every animal that's slaughtered they receive about U.S. \$6, and about 72% of their budget goes to disease eradication, which they control. They don't rely on the government officials for issues like going into the jungle to do vaccinations. They don't really rely on the reports they get back that those vaccinations really occurred. They have their own staff. They have staff to verify that their vaccinations are being done. It is a serious effort they have.

The status they will get, probably this May, will be FMD-free with vaccination, and that's an important distinction. We look for FMD-free without vaccination. They'll work toward that, but this is an important first step.

• (1615)

Mr. Gerald Keddy: The lead-in for them, quite frankly, is if it's open, two-way trade and they do reach the proper status, then there is another market out there.

Mr. John Masswohl: Absolutely.

Mr. Gerald Keddy: I would suspect that with a growing middle class, they would still have a big job just to fill their own domestic market.

Mr. John Masswohl: They actually have excess production. They are exporting some to Venezuela. In fact, there were border problems with Venezuela the week we were there. Venezuela had closed down the border, and they were wondering what they were going to do with this extra million pounds of beef that gets exported. That was an issue of concern for them.

You're right that they talked about wanting to position to play in the export markets but worried about the timing: how much beef was going to come into their market versus the uncertainty of knowing when they would be able to export. They are definitely positioning.

Another thing they are very aggressive about is improving their genetics. It has been an important genetics market for us for the last few years, sending semen and embryos, more on the beef side but some on the dairy side as well. They have developed a brand they call Brangus, taking the Brahma and crossing it with Angus to try to get a better—

Mr. Gerald Keddy: I'm picturing that in my head.

Mr. John Masswohl: I would say we're not concerned about being able to compete with them on quality. I think we'll still compete pretty well on quality.

Mr. Gerald Keddy: Excellent.

I'm going to give Larry the next question, because otherwise I'm going to take all the time, and then I'll have another problem on my hands.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Thank you very much.

Thanks, guys, for coming today.

You've all talked about the importance of this, and, Bob, you really stressed that this is the right way to go, and John and Bruce have both said to make sure we get a good deal that suits both industries.

We've had a number of witnesses here, and I believe it was one of our government representatives who said "the U.S. has negotiated the immediate elimination of the wheat tariff" with Colombia, and that works out to about "\$100 million of wheat exports". They said they had talked to importers in Colombia who said it's a lot cheaper to buy wheat out of Houston than from the west coast of Canada. They say they're willing to pay a premium here—this is what Colombia is telling us—but at 15% they'll stop buying wheat. It really implies how vital it is to basically gain that kind of access.

Bob, I'm sure you are already aware of this, as are most of your stakeholders. Could you comment on that particular quote and really what it's going to mean, not only to wheat growers but also to other sectors of agriculture that you represent?

Mr. Bob Friesen: You're absolutely right. Right now there's a 12.5% applied tariff on wheat. For barley it's 10%. But for wheat and barley they have a bound tariff that floats somewhere between 90% and 248%. So if we suddenly bring wheat into Colombia and they think it is too low a price, they can lift the tariff up as high as the bound tariff. It's a really strong safeguard mechanism for that, and we'd just simply like the elimination. You're right. Colombia's tariffs on wheat and barley will be immediately eliminated to zero effective January 1, 2009, and then they won't have to grapple with that sort of tariff.

• (1620)

Mr. Larry Miller: In that quote that I talked about, that it's basically worth about \$100 million to the wheat industry, have you any figures, Bob, on what this might mean to durum, to barley, maybe canola? Are there any other opportunities there that you're aware of, and do you know what the dollar values of those might be for our producers?

Mr. Bob Friesen: No, I don't have the dollar values. All I have is that our major exporters now are the peas, lentils, beans, barley, and wheat.

But you know, it's not just about increasing the volume, although one would hope that as we compete against other countries, especially the U.S., we could increase our volumes. It's also about more profitable market access. So if we can eliminate those tariffs, even though for a while we may not increase our volume, at least we'll become more profitable in that market at the onset and then have the opportunity to continue to grow the market.

Mr. Larry Miller: Okay, that's the end of it.

Thanks.

The Chair: Thank you very much, Mr. Friesen.

And thank you, Mr. Miller. I appreciate your keeping it tight. That was good.

We're going now to Mr. Julian.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Thank you, Mr. Chair.

Thank you for coming forward today.

I have two comments to start.

First off, as I'm sure you're aware, in the U.S., the situation around the U.S.-Colombia trade agreement is by no means set. In fact, Congress has rejected fast-track approval for the U.S.-Colombia agreement. I just came back from the United States a few days ago. It is quite likely that it is stalled now. It's quite unlikely that that agreement will be ratified under this president. I wanted to make sure that was on the record.

My other comment is around the fact that you're speaking to the commercial aspects of the deal, but those are overshadowed to a significant extent by concerns around the human rights situation in Colombia. But we certainly appreciate your coming here today to address the commercial aspects, and I think the cautions you're offering are very important ones.

I'd like to start with you, Mr. Masswohl.

You mentioned that the Canadian government should not be too eager to sign a deal. I gather from your comments that what you're saying is that even under the commercial framework, setting aside human rights concerns and concerns around labour rights, right now the composition is such that it isn't something the Cattlemen's Association would be prepared to support. Is that true?

Mr. John Masswohl: Yes. We're certainly supporting their continuing to negotiate, but you're right, what we've seen so far isn't good enough.

Mr. Peter Julian: So if things don't change...?

Mr. John Masswohl: We wouldn't want to see the agreement that's before us be the final agreement.

Mr. Peter Julian: Thank you.

Now I'd like to go to you, Mr. Webster.

You mentioned that your experience with free trade agreements to date hasn't been good. Certainly, you're joining a lot of other folks. There's the softwood industry—the softwood sellout that was signed by the Conservative government and has led to thousands of jobs hemorrhaging out of western Canada. There's the shipbuilding industry, which has been touched by the EFTA agreement. So we're seeing lots of problems with trade agreements generally and how this government approaches them.

Have you been consulted on an ongoing basis about the commercial aspects of the deal, particularly related to the sugar industry?

Mr. Bruce Webster: Yes. Agriculture and Agri-Food Canada runs a service called the Agricultural Trade Negotiations Consultative Group, and we're in numerous conference calls with them. We belong to the Canadian Federation of Agriculture, so on a quarterly basis we meet with the trade negotiators through the CFA trade committee. We do e-mails with trade negotiators.

So yes, we have a lot of contact with our own negotiators. As well, the Alberta government has been very supportive of our aims. So we do make an effort, and the negotiators do know what we want. It's just that they've not been able to get it.

Mr. Peter Julian: So again, currently you would not see this agreement as being advantageous—as it is currently constituted, from what you know now?

Mr. Bruce Webster: From what we know, it is not to our satisfaction.

Mr. Peter Julian: Mr. Friesen.

Mr. Bob Friesen: First of all, on your first point, we've always said that if you do a trade negotiation, it has to be good for all of agriculture. To that extent, I'm certainly not here saying let's sign the deal because it might be good for wheat or peas or lentils. We're saying it has to be good for cattle, it has to be good for sugar, so work harder or work a little longer and make sure it's a win for all of agriculture.

On your second point, the officials consult with the industry on an ongoing basis, and when they negotiate and it's not a win for a sector, that doesn't slip by them. They are very familiar with what it is the industry needs, what the dynamics are. When they did the Costa Rica agreement and they negotiated for french fries at the expense of sugar, they knew very well they were doing it. In fact, it was the minister of the day who came out and said they had just decided they were going to negotiate for french fries instead of for sugar.

So they're well aware of the dynamics, and that would never be an excuse—that they're not familiar with the industries.

• (1625)

Mr. Peter Julian: Mr. Friesen, I'd like to come back to you, because a lot of concerns have been raised in the House of Commons and across the country about the dismantling of single-desk selling at the Canadian Wheat Board. What do you think the impact would be, putting aside all the human rights and labour relations considerations, which are pretty fundamental? Let's for the moment pretend those issues aren't out there and we're dealing purely with the commercial aspects of the deal. With the dismantling of the Canadian Wheat Board, if the tariff level was lowered to that of the U.S., and let's say both deals were ratified, with the ending of single-desk selling, would that have an impact on the prices farmers would be able to get in exports to Colombia?

Mr. Bob Friesen: On the specific market in Colombia, that would be a question better posed to the Wheat Board. Our position has always been that the volume the Wheat Board can negotiate with around the world very often gives them a leg up in a market because they have the sheer volume, so they have a stronger negotiating hand than just one farmer. There are those farmers who are saying they need the Wheat Board because it does give them a competitive edge because of the volume, and then there are those farmers who say they could find spot markets that would serve them better than selling through the Wheat Board. But typically the Wheat Board would be in a much stronger position in the international marketplace than individual farmers would be.

Mr. Peter Julian: Thank you for that.

I just have time for a final question, and that's related to the WTO and its supply management discussions. Are you concerned about negotiations around supply management at the WTO?

Mr. Bob Friesen: The negotiations on sensitive products at the WTO are difficult. I do know that farmers are looking at those negotiations. They are looking at single-desk selling and they're wondering if there's a link between the two and whether deregulation of single-desk also means that supply management would be deregulated in the future. But at the WTO, certainly the sensitive product negotiations are going on with difficulty. On some issues I believe the officials are done, so most likely certain issues will have to be taken up by our ministers at a ministerial meeting to get a satisfactory conclusion.

As far as bilaterals are concerned, typically when Canada does a bilateral, when it comes to supply management, what they offer and I'm a bit surprised by what FEDEGAN said as far as dairy access is concerned, because when Canada does a bilateral, it does offer zero in-quota tariffs. So if this agreement goes through with Colombia, Colombia would have better market access into Canada, say, than New Zealand would because the input of tariffs would go to zero. That's been the position on bilateral negotiations for supply management.

Mr. Peter Julian: Thank you.

The Chair: Thank you, Mr. Friesen and Mr. Julian.

With that, we'll conclude this round of witnesses. Unfortunately, we are out of time and we have another group waiting to come in.

I thank you again for your appearance, your preparation, and your answers. I hope we'll see you again soon.

We'll suspend for a minute while we change the name tags.

Okay, we're going to begin. I'll ask all of you to take your seats. While members are getting back to their seats, let me introduce our next round of witnesses, who are familiar to most of us here. I'll start with Mr. Gerry Barr, president and chief executive officer of the Canadian Council for International Cooperation. With him today is Gauri Sreenivasan, senior policy analyst for International Trade. Also presenting today and available for questions is Alex Neve, secretary general of Amnesty International.

I understand, Mr. Barr, that you're going to lead and Gauri is going to follow you with a brief comment.

• (1630)

Mr. Gerry Barr (President and Chief Executive Officer, Canadian Council for International Cooperation): Thanks very much, Mr. Chairman.

I want to thank you for the chance to be here today. We think the study being taken on by this committee on the Canada–Colombia trade agreement is unique and certainly very important. From our point of view, it is the first substantive opportunity to shed light on and debate a highly non-transparent and controversial deal. The terms of your study squarely address the need to consider the agreement in the context of environmental and human rights concerns. So it's very important for us, and we value very much the opportunity to be here today.

It's especially important, since I think the Prime Minister has been quite clear that Canada's motivations for pursuing this trade deal are informed by a political sensibility—specifically to back a particular administration in Colombia as a contribution to democracy and human rights in the Americas. Although Colombia is not a major trading partner for Canada, this deal has become emblematic as a "choice point" for defining Canada's role in the Americas, and indeed on the world stage.

In the United States, a similar deal has not been approved, given human rights considerations, and it has become a test case for a Republican versus Democratic orientation to U.S. policy in the region.

The political and economic situation in Colombia is itself complex, as you've been hearing, but the choice facing Canada is a fairly basic moral and ethical one. Should we sign a deal with a country with arguably the worst human rights record in the hemisphere and with a government mired in political scandal for its close links to paramilitary death squads? Our view is no.

This is not a position that is in any way anti-trade. Beyond all the issues of tariffs and schedules, a trade deal remains, at its heart, an international agreement between two governments—a statement of commitment and belief in each other as economic and political partners. So does Canada want to endorse the Uribe government of Colombia as our partner? Signing the deal will accomplish nothing less than that, and there should be no mistake about it.

The Colombian agenda is clear. The Uribe government is desperate for international recognition and approval, and a good housekeeping seal of approval from Canada would do much for their embattled reputation. But consider the situation.

• (1635)

[Translation]

The United Nations has called Colombia the worst humanitarian crisis in the Western hemisphere. It has one of the highest numbers of displaced persons in the world. The targeted killings of civilians by Colombia's security forces have increased dramatically over the past five years, along with cases of social injustices. Illegal executions of civilians by the Colombian military and paramilitary forces have taken at least 955 lives in the past five years.

[English]

One in five, or 20%, of all Colombian politicians are either in jail or under investigation for paramilitary links. President Uribe's closest political allies, including the chief of security, personal advisers, and family members, are involved. The investigations into all of this really only began in earnest a little over a year ago, so although it is already dramatic, we may not yet know the measure of this problem.

What is troubling is that in the face of all of this, the Canadian government now insists that Colombia's dark history is behind it and that a trade agreement will boost democratic development. We urge you to listen to the voices of those who are most directly involved. Colombian human rights activists, trade union leaders, and citizens have all mobilized in great numbers against the U.S. trade deal, and as knowledge grows of Canada's deal, so does the protest.

Do not be caught by the mindset that says if you don't support this government, you give power to the terrorists and guerrilla forces. This is the polarization of politics that has crippled the space for public discussion of democracy in Colombia today. Every day, with countless acts of bravery, Colombian trade union leaders, journalists, and indigenous people stand up to speak against the violence that has been unleashed on them from all sides. They are building the basis for a middle ground and for a government that can be held accountable for its crimes and held to its responsibilities to meet citizens' basic rights.

You know, it isn't realistic in this kind of charged and conflictive environment to hope for a clause or a paragraph or a side deal in the text of the trade agreement that will work as a curative for conflict. The answers lie in political will and in citizen mobilization and involvement in Colombia. Colombians themselves today are saying no to the deal, and we should be listening to them.

My colleague, Gauri Sreenivasan, is going to give you further reasons why.

• (1640)

Ms. Gauri Sreenivasan (Senior Policy Analyst, International Trade, Canadian Council for International Cooperation): Thank you, Gerry, and thank you, members of the committee, again, for this opportunity.

I just want to briefly address one more key area, which is the frequently asserted contention by officials, including in committee

before you in recent weeks, that increasing the flows of Canadian trade and investment to Colombia will itself have a positive effect on human rights because it will stimulate growth in the legal economy and it will draw people out of the drug trade and other illegal activities. It's important to unpack this assertion, because it's an important issue. I think to do so, it's instructive to look at one of the largest modes for Canadian commerce in Colombia: investment in the oil, gas, and mining sectors. There are a lot of other sectors we could look at to look at the confluence of trade and rights, but let's just look there.

The committee, I think, should ideally look in some depth at this issue during the course of its study and travels. As members may be aware, Canada is the largest by far of all international mining investors in the region. The committee should also be aware that there has been wide-ranging evidence gathered and academic analysis done to show that there are predictable dangers for human rights and the environment that flow from Canadian corporate investments in active conflict zones like Colombia. Canadian academics have highlighted that any company operating in a conflict zone automatically becomes party to the conflict, even with the best of intentions. They are, for example, paying taxes and royalties to one party in that conflict.

Neutral commercial presence is not possible. Beyond that issue, in Colombia, Canadian oil and mining companies are active in some of the most conflict-ridden zones of the country, even beyond the issue of royalties. These zones are characterized by high levels of military and paramilitary control. The overlap between the two is sobering. Colombian regions that are rich in minerals and oils have been marked by violence. They are the source of 87% of forced displacements, 82% of violations of human rights and international humanitarian law, and 83% of assassinations of trade union leaders in the country.

Rather than assert the positive outcomes for development and rights from Canadian companies, officials, we believe, need to be undertaking due diligence to ensure that our Canadian investments in fact do not cause or contribute to human rights violations or environmental destruction.

[Translation]

I would like to give you a few examples to illustrate that closer attention needs to be paid to this matter.

The Canadian mining company Greystar decided to resume its operations in Colombia after President Uribe instituted changes to make the country's environment safer. From a logistical perspective, the company supported the establishment of a security base in the region. Among other things, troops are stationed at the base to ensure the mine's viability.

Another example is Enbridge, a Canadian company and a major partner in the OCENSA pipeline consortium, the largest of its kind in Colombia. OCENSA is extensively involved in cases of human rights violations.

[English]

Canada cannot rely on host governments to govern the actions of Canadian companies abroad. As analyst Madelaine Drohan has said, "Common sense tells you that governance goes out the window in a conflict zone."

Rather than take this conflict context into account and ensure binding measures for corporate accountability, in the proposed Colombian free trade agreement Canada wants to replicate a NAFTA-style chapter 11 on investment. These kinds of rules grant corporations rights to investment protection that are unparalleled in other global trade rules, with no corresponding obligations.

Recently, government officials have reassured this committee that voluntary measures will be added to the trade deal and that these are sufficient to ensure corporate social responsibility for Canadian companies operating in Colombia. CCIC strongly disagrees. Voluntary measures have never proven to be effective guarantees for human rights or environmental protection.

We ask you to consider how it can be reasonable for companies to insist on binding legal protections for their investment rights but only on voluntary obligations for their responsibilities not to exacerbate human rights violations. Greater security and accountability is required of mining investments in Colombia, quite apart from the trade agreement.

In summary, these are the conclusions from CCIC.

Canada should not be signing a trade deal with the Colombian government at this time, given the latter's role in grave human rights violations and the context of impunity in the country. No trade deal should go forward with Colombia without a full human rights impact assessment. But this doesn't mean we should do nothing. Canada must continue to play an active role as advocate for human rights in Colombia, including urging President Uribe to sever all ties between the state and paramilitaries, and to work to end impunity.

Finally, outside the context of the trade agreement, Canada needs to take steps to ensure mandatory accountability for Canadian corporate investment in Colombia, particularly in the mining sector. These steps should include the adoption of recommendations that are well known now and have been set out in the final report of the national round tables on the extractive sector.

If any of the committee members want more information, we'd be happy to address them in discussion.

Thank you.

• (1645)

The Chair: Thank you, Ms. Sreenivasan.

Mr. Neve.

Mr. Alex Neve (Secretary General, Amnesty International): Thank you very much, Mr. Chair and committee members. Amnesty International certainly welcomes the opportunity to be in front of you this afternoon on this very important issue.

I'd like to begin by sharing with you a global urgent action that Amnesty International issued just a few short hours ago on behalf of 17 human rights defenders and labour activists who have received death threats in Colombia over the past week. Those threatened include members of the Trade Union Congress in northeastern Colombia, Santander Department, who have received a written death threat from the paramilitary group, the New Generation of the Black Eagles in Santander. The threat, dated April 18, warned against holding any marches or demonstrations to mark International Workers Day tomorrow, May 1. It said, "There is a detachment of men available who will fulfill our orders and cleanse all you servants of the guerrilla".

From those current concerns I'd like to take you back 10 years to a moment when Kimy Pernía Domicó, a Colombian indigenous leader, testified before another House of Commons committee. He detailed the way in which a multinational megaproject that had received \$18.2 million U.S. in Canadian investment had destroyed the environment on which his people, the Embera Katio, relied for their survival. He explained how the project violated their right to a healthy environment, flooded their crops, eliminated fish stocks, and brought malnutrition and disease.

Kimy Pernía stressed that Embera Katio communities were never consulted about the project that would devastate their territory, in violation of both the Colombian constitution and international human rights treaties. He also explained how those who spoke out about those violations were threatened and attacked. Leaders had been killed and others had received death threats. He added that his own life was in danger. Sadly, he was not exaggerating.

In 2001, soon after he returned to Colombia from another trip to Canada, during which he attended the Summit of the Americas in Quebec City, Kimy Pernía was forced onto a motorcycle by two armed men who put a pistol to his head. He was never seen again. Last year a Colombian paramilitary leader admitted that Kimy was killed by army-backed paramilitary, yet almost seven years after he was abducted in broad daylight in front of witnesses, the Colombian state has failed to bring anyone to justice.

Kimy's murder is an all-too-common example of what happens to those who challenge investment projects that will negatively impact on human rights in Colombia. Our concern is that such a situation could easily be repeated under the proposed Colombia-Canada free trade agreement.

Amnesty International takes no position for or against free trade per se, or any other particular approach or trading policy. We recognize that trade and investment in themselves are neither inherently good nor bad for human rights, but that human rights needs specific, determined attention to ensure that trade and investment policies do not impair human rights protection.

In the Colombian context there is serious reason to be concerned that such careful, concerted attention and safeguards are entirely lacking and that human rights will inevitably be further imperiled as trade and investment is opened up in these circumstances. We outlined that concern in an open letter to Prime Minister Harper last July, and again in December in a letter to the International Trade Minister Emerson. This is not just about the past. This is not just about Kimy Pernía's tragedy of 10 years ago. These are realities that continue today. I've told you of today's urgent action. Let me give you just two other recent examples.

Earlier this month, on April 10, an e-mail death threat signed by the Aguilas Negras paramilitary group was received at the offices of the agro-mining federation in Bolívar Department. The same threat was also sent to the offices of other non-governmental organizations and to three Catholic priests, all working in this area rich in minerals. The death threat stated, "You will be killed one by one. Start getting your loved ones ready so they can bury you."

On March 22, a member of the National Union of Coal Industry Workers, Adolfo González Montes, was tortured and killed. At the same time, other leaders of the union received telephone death threats and reported that their homes were under surveillance by unknown individuals. The killing and threats coincided with preparations by the union to initiate negotiations on working conditions with BHP Billiton, AngloAmerican, and Xstrata, the companies that own the Cerrejón coal mining operation in La Guajira department.

• (1650)

These specific incidents arise in a wider human rights context, which is directly relevant to this proposed agreement. Grave human rights abuses are committed against indigenous and Afro-Colombian communities defending their land rights in areas of interest for resource extraction or agricultural potential. There are ongoing threats and attacks against trade union leaders. Violations against community leaders and small-scale miners in areas of mineral wealth are of great concern. Since 1985, more than three million Colombians have been forced to flee their homes. More than 60% of those displaced have been evicted from lands situated in areas of mineral, agricultural, or other economic interest. These high levels of displacement continue, with 305,000 new cases last year alone, particularly affecting Afro-descendant and indigenous communities.

The Revolutionary Armed Forces of Colombia, FARC, and the National Liberation Army, the ELN, continue to commit human rights abuses and to violate international humanitarian law, including the deliberate killing of civilians and hostage-taking. There has been a disturbing increase in extrajudicial executions carried out by state security forces. The victims include trade unionists, *campesino* leaders, members of indigenous communities, and other social activists. Most of these killings have been referred to the military justice system, despite a 1997 constitutional court ruling stating that human rights cases implicating the security forces should be handled by the ordinary justice system. Notably, human rights defenders who have been raising objections about the situation have been publicly accused by President Uribe of working with guerrilla organizations.

Finally, as Gerry Barr has referred to, there is mounting evidence of very disturbing links between members of President Uribe's political circle and illegal paramilitary organizations. Paramilitary commanders claim they control 35% of the Colombian congress. More than 60 congressmen from President Uribe's coalition are now under investigation by the Supreme Court. Last week, the president's second cousin and close political ally, former Senator Mario Uribe, was arrested. He stands accused of participating in meetings with paramilitary groups in which land grabs were orchestrated. President Uribe, in response to all this, has proposed mechanisms to set free or reduce the prison terms of politicians who may be convicted of colluding with paramilitaries and has also made public attacks against the Supreme Court and individual judges who are conducting these investigations, thus threatening judicial independence.

Before this committee and elsewhere, the Colombian government insists that Colombia's human rights situation has substantially improved. I believe you've heard reassuring statements in that regard from Canada's ambassador in Colombia and other government officials. Amnesty International is extremely concerned that such statements repeatedly only point to the limited improvements there have been in a few areas, such as overall conflict-related killings and kidnappings, and that the wider, very worrying human rights situation I have outlined is disregarded.

Take, for example, the issue of violence against trade unionists, an enormous issue of concern in the context of free trade negotiations. The Colombian government talks about a reduction of violence. The number of killings was lower in 2007 than in 2006, but the number of failed assassination attempts of trade unionists doubled and there was no reduction in the number of death threats. Indeed, there was an increase by some 22% in the number of forced displacements of trade unionists. Meanwhile, more currently, in the first three months of this year there was an 89% increase in the number of killings, in comparison with the first three months of 2007.

The point here is that there has been no substantive or sustained improvement in the human rights situation faced by trade unionists, nor will there be until decisive action is taken to end impunity, which remains at more than 90%.

• (1655)

The Colombian government also talks about strengthening its protection program for vulnerable sectors, including trade unionists. Of course, efforts to provide physical protection to trade unionists are laudable, and they may be of help, but the failure to take substantive action to end the impunity that prevails in these cases means the efficacy of these programs will at best be limited.

The Colombian government also insists that paramilitaries no longer operate in the country. This view has been contradicted by reports from the United Nations, the U.S. State Department, and the Organization of American States. There is indisputable evidence that many traditional paramilitary groups continue to operate in many regions and that the number of killings committed by them remains high. There is also clear evidence of continued collusion between these groups and the security forces. The bottom line, sadly, is that Colombia's human rights situation has not substantially improved—in many aspects it has worsened and that by any measure it remains an absolute crisis. In such dire and worrying circumstances, Amnesty International has called on the government to go no further with the possibility of a free trade agreement with Colombia, unless and until an independent, impartial, and exhaustive human rights impact assessment is carried out. A human rights impact assessment must be conducted by a competent body. It must be subject to levels of independent scrutiny and validation, and there are many other safeguards that would have to be put in place to make it a good process. The negative impacts identified by any such assessment would then need to be addressed before any consideration is given to negotiations going ahead.

We have also put in front of the government a range of human rights recommendations, which we would make with respect to any proposed trade deal. This includes the necessity of guaranteeing effective and genuine participation in negotiations by a broad representation of society; ensuring that the main text includes explicit reference to the full spectrum of international human rights norms; and that the main text ensures that the agreement will be interpreted and implemented consistent with those obligations, including that any dispute arbitration mechanisms will explicitly include human rights obligations.

Ten years ago, Colombian indigenous leader, Kimy Pernía Domicó, whose story I began with, told Canadian MPs that they did not want others to suffer as they had. I would like to stress to members of this committee that there is so much that needs to be done to address human rights concerns in Colombia before it would ever be possible to responsibly go ahead with a free trade deal of this sort. Unless and until that happens, I think Kimy Pernía Domicó's words remain to haunt us. Others will continue to suffer as he and his people have, and that's something this nation would certainly never want to stand for.

Thank you.

The Chair: Thank you, Mr. Neve.

I want to check something with you. I'm sure you'd want it corrected. You did reference, when you were speaking of the previous witness, that it has been suggested that general violence and kidnappings and such were down. You referred to Canada's ambassador in Colombia; I think you were referring to Colombia's ambassador in Canada.

• (1700)

Mr. Alex Neve: Yes, thank you.

The Chair: I wanted to correct that for the record.

Thank you very much. And thank you, all of you, for wonderful presentations. I do appreciate it.

We're going to have to go quickly, and I'm going to have to be very firm about sticking to the time.

We're going to start with Ms. Murray.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Thanks for the presentation. I'm a relatively new committee member, and I'm trying to understand the issues around this free trade agreement.

Mr. Barr, you seemed to be saying that this is not an agreement based on the merits of improvement in trade. It addresses a negligible amount of trade relative to what Canada conducts with some other countries and is therefore more of a political deal. Your view is that our recommendation should be based on whether we think a free trade agreement can improve the conditions we're concerned about. If so, we should approach it positively. But if it's a only gesture towards a country whose record does not merit our support, then we should recommend against it. That's generally what I heard.

You also seemed to suggest that increased trade would worsen the human rights situation. I think that's an important thing for us to understand. We've been advised by others that the scrutiny and transparency that a free trade agreement occasions would be a positive thing. For example, there would probably be a compliance review and reporting on human rights and environmental side agreements. Could you give me a bit more information about why you believe that trade will worsen the human rights situation, given that there will be more of a public stage on which this whole thing will be taking place?

Mr. Neve, you are claiming that the level of violence in human rights abuses, which is a tragedy we're all concerned about, hasn't improved over the last while. There's sort of a selection of statistics here that we're going to have to try to understand in our decisionmaking. You're suggesting a human resources impact assessment, with recommendations to be addressed. You also mentioned that negotiations must include a broad representation of society. In a way, you're asserting that your conditions for going ahead with an FTA would require the bar to be set higher for Colombia than we set it for our own country. We in Canada don't have broad representation from society in the way I am imagining you're calling for. I'd like you to answer why you believe we should require a different bar for Canada and our trade partners.

Mr. Gerry Barr: We'd agree with the position that Amnesty has just described. But there's nothing intrinsically negative about trade growth. It may well carry a lot of benefits for countries that are able to experience it. But there is also no empirical evidence for the notion that democracy and human rights get a boost because of a trade agreement. It is for that reason that there should be a human rights assessment. You have here a particularly conflictive set environment and one that carries a tremendously high price. Our position is that we need to test the intuitive argument that democracy and human rights are going to get a boost from this agreement, that it's generally good to engage. This needs to be tested very carefully in circumstances where civil conflict is on the marquee, is the leitmotif of the region with which we are hoping to have a deal.

• (1705)

Ms. Joyce Murray: Do you have a test to propose? Is there a specific test that you would be suggesting? Is it testable?

Mr. Gerry Barr: I think it is testable. Certainly, if we can rely on it as a reason for entering into an agreement, it had better be testable. We're using it as a reason for buttressing, getting alongside, and cross-branding with a government that has become known as the most egregious human rights violator in the region.

Ms. Gauri Sreenivasan: If I may have a quick follow-up, this is right, this point that when you stay at the level of principles-it will help trade, it won't help trade-you have to look at the specifics. What I was trying to suggest in my presentation was that when you look at the specific areas of commerce in the conflict economy of Colombia, there actually are significant reasons for concern. Economic growth in Colombia has been rooted in the fairly violent takeover of land and resources from people. These are welldocumented scenarios wherein small campesinos, small artisanal miners, are literally forced from their land through threat, violence, and intimidation to make room for large-scale agricultural plantations, for example, or large-scale mining. So the basis on which commerce would grow in Colombia would be very difficult to disentangle from commerce not based on human rights violations, on minerals that have not come out of the ground based on the violent takeover of land and the death and killing of trade unionists who were trying to organize in that area. Mr. Neve just gave a specific example of workers in a mine area who received threats this week.

So we have the principle level. There's a concern that you can't accept that it would automatically be favourable. In fact, a more substantive concern is that in the conflict economy of Colombia, there is significant evidence, given the violent way commerce is undertaken, profit is extracted, and exports are generated, that Canadian investment in trade would be complicit in that violence. We have a huge obligation to do due diligence to ensure no harm. To accelerate industries that are based on the expropriation of land illegally, to accelerate mineral extraction that is based on intimidating artisanal miners, makes Canada complicit in the human rights problems.

The Chair: Thank you very much, Ms. Sreenivasan.

I'm sorry, Mr. Neve, we're going to have to stick pretty close to the seven minutes, and we're just about at eight minutes, so I'm going to go to Monsieur Cardin.

We'll keep it to seven minutes for questions and answers, and then we'll move around.

[Translation]

Mr. Serge Cardin: Thank you, Mr. Chairman.

Ladies and gentlemen, welcome. Thank you for joining us.

We have been hearing different things since talk first began of negotiating a possible free trade agreement with Colombia. Clearly, exporters and importers have a valid interest in such an agreement.

Although there was talk regularly of human rights, I still had my doubts. Since the committee began hearing from government representatives or negotiators, the situation has improved. Since President Uribe's government assumed office in 2002, the situation has improved significantly. According to my figures, the number of homicides, massacres and kidnappings has decreased dramatically. Now you're telling us that this is not exactly true and that the situation hasn't changed. We are getting contradictory information. How reliable is the information that is being conveyed to us? How can it be passed on to the negotiators and the officials concerned about improving the human rights situation? You maintain that one option would be to conduct a full review of the human rights situation. Who do you suggest should be conducting this review and who should be participating in this exercise? Canada could be involved before the ratification of the agreement. Could this be done reasonably soon? Do you intend to recommend something to this effect?

• (1710)

[English]

Mr. Alex Neve: Let me begin with the question about numbers and statistics, which I agree with you has.... And not just in the context of the hearings you're holding, but with respect to a whole variety of international-level discussions and debates about Colombia's human rights situation. There is this back and forth, this tussle about statistics.

What I would urge upon you is.... By any measure, the statistics do nonetheless point to a grim human rights reality in Colombia. Even if one measure has gotten a little bit better this year and gone down again the next year, if others are at a relatively stable level, and if others are still perhaps getting a bit worse, by any measure, whatever numbers you are using, the aggregate picture still points to a very grim human rights reality, even if certain issues are starting to see some progress.

I think that has to be what is of concern to you, that as an overall picture, this is still a human rights crisis by any measure, one of the worst in the world, one of the most entrenched in the world. And it is one where we simply are not seeing the sort of concerted, obvious action that is necessary to address the underlying systemic problems of those abuses. For instance, recommendations made by reputable UN human rights bodies going back many years remain unimplemented—recommendations that would really get at the heart of the paramilitary reality, for instance, which is such a major part of the human rights situation in the country.

You raised the question that if a human rights impact assessment did go ahead, could it or should it perhaps be Canada that does so. Amnesty would say it's Canada's responsibility. We would say that with respect to any proposed free trade deal, regardless of the severity or relative lack of severity of the human rights record of the country concerned, that should become an automatic part of the process at the outset before negotiations even begin to advance.

We have put this in front of the government, going back at least a year now, and have raised it in more general settings frequently when wider issues of free trade—not this particular deal—are being discussed. And we continue to lament the fact that there is no take-up of that, no willingness to move ahead with the idea of starting to institutionalize that and put it in place.

All sorts of very commendable models are being developed by institutions around the world as to what a good human rights impact assessment would be, whom it would be carried out by, how it would be done, how you ensure broad consultation, and what you would do with the results of the assessment, because it's one thing to do the assessment, but unless that feeds into and thus guides how the free trade deal develops, it's meaningless. So that's absolutely out there.

[Translation]

Mr. Serge Cardin: Is there anything further you would like to add?

[English]

Ms. Gauri Sreenivasan: I'm watching my time master.

[Translation]

Ultimately, you will be facing a big dilemma as a result of many contradictory statements. Committee members will need to know what interests stakeholders have. It is worth noting that the Colombian government has mounted a major campaign to improve its image on the international stage. According to a research paper prepared by the Canadian Council for International Cooperation, the Colombian government apparently paid millions to three US-based firms to lobby on its behalf. There is a great deal of information about how statistics are presented.

It is also important to consider what independent human rights organizations are saying, groups like Amnesty International, Human Rights Watch and the United Nations. I am not saying that we must discount the information presented to us by government representatives, only that we need to ask ourselves where their interests lie.

I don't think it will be difficult to figure out how to conduct a human rights impact assessment. There are certain institutes in Canada that specialize in such matters. Amnesty International and Rights and Democracy are two such organizations. The latter is based in Montreal and has done several reviews of mining investments. The United Nations also has resources that it can assign to this task. It will take more than just a few days or weeks to do an assessment. The participation of Colombia's civil society will be crucial in order to hear the people's side of the story. Models for conducting assessments can be used for this purpose.

• (1715)

Mr. Serge Cardin: Am I already out of time?

[English]

The Chair: We're going to have to move on. We're simply eating into the time of successive speakers, so you'll have to talk to Mr. Julian about that.

Mr. Cannan.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Thank you, Mr. Chair, and thank you to our witnesses. I appreciate your passion and the hard work you've done, not only in Canada but around the world, in helping people with different demands and world challenges. I'm sure you're appreciated.

Mr. Barr, we had a chance to meet in our office and have a good chat about different needs around the world...and our government's announcement today about a 28% increase in food aid, which is definitely needed as well for 800-million-plus people around the

world who are going without a full meal. We're trying to do our part there. Canada, I think, is a good example today. We're all sitting around this table trying to make sure we're being recognized for doing our part. It's no different from going to Colombia. I appreciate you bringing these facts forward.

As my colleague, Mr. Cardin, alluded to, we've had a variety of witnesses come to the table just prior to your presence, including some folks strongly advocating for bilateral agreements, while the World Trade Organization's talks move along at a snail's pace. We need to, as a country, continue to move forward and work on trade agreements, while other countries have as well. That's why we're exploring this free trade agreement. Definitely, this is what we're doing, looking at the pros and cons and making sure it's free and fair trade, as we talked about before.

Whether it's violence against trade unionists or non-trade unionists—I'm not an advocate of violence against anybody. We want to make sure that we do find out—and I appreciate your comments about the people who are there who have certain agendas behind their presence, and try to get at the real heart of the matter.

We had people appear at our committee who said the overall theme is that there's a 30% increase in the exports in the economy of Colombia, and we've seen a general decrease in violence by 40%. Murders are down by 50%. Kidnappings are down by 90%. Forty-five thousand paramilitaries and guerrillas have been demobilized. The fact is, it's not perfect in Colombia, but it's headed in the right direction.

We had one witness, Dean Beyea, who came to our last meeting, and he said:

Certainly they're not getting there overnight. There is considerable work to do. No one would argue that. But certainly it appears to be on the right path, and certainly the foreign direct investment into the Colombian market is indicative that they are on the right path. It's a good opportunity for Canada, and Canadian industry has an interest in investment in that country. It's not to say it's perfect, and there are certainly security concerns, but the proof is all positive.

So you say we need to progress before engaging in a free trade agreement, and I think we've seen some significant progress.

Again, Mr. Barr, you mentioned that you'd like to see empirical evidence of free trade. In Canada, as we've expanded as a country, we've seen growth and democracy and respect for human rights in our own country, and it's nothing more than...I'd like to be able to see other countries prosper.

So my question is, what would you like to see as far as further empirical evidence is concerned before a free trade agreement is signed with Colombia?

Mr. Gerry Barr: Well, Mr. Cannan, it's a mess. That's the problem with Colombia. One can say a lot about bilateralism versus multilateralism, about the value of trade agreements, about the enhancement of commercial connections. And all of those things are worth paying attention to, but Colombia is a long, long way from perfect. Colombia shows all sorts of signals, and recent ones—fresh signals, if I can put it that way—of systemic challenges on the human rights side. This system of paramilitaries is grievous and embedded. It has been there for a long time and looks likely to be there for a long time yet.

So one can say, certainly, as you have done, that there are some improvements in the ambient background of Colombia's circumstances. That may well be the case, and I wouldn't argue it. But what is there that makes a free trade deal with Colombia, uniquely, important now? As Joyce Murray was saying, this is a deal that inherently takes on trade, because it's a trade agreement, but it is not about trade; it's about buttressing a particular government in Latin America.

The question, I think, that has to be asked is why is it valuable to choose this government—for buttressing and support and as a partner for accompaniment now—as opposed to others in the region? That is the question we bring in light of the very challenging, conflictive environment we're faced with. Why do we get alongside this government in these circumstances, famously challenged and with a great deal of reputational burden associated with that relationship?

• (1720)

Mr. Ron Cannan: Thank you.

My colleague Mr. Keddy has a supplemental.

The Chair: You have one minute.

Mr. Gerald Keddy: I'll clear my throat and have a drink of water, and my time will be up.

The Chair: Thank you.

Voices: Oh, oh!

Mr. Gerald Keddy: In relation to what you're saying, Mr. Barr, I should perhaps speak for myself, but I think all of us on the committee are working to get ourselves up to speed on the history of Colombia. I don't think anyone thinks it's a perfect situation down there, or is under the delusion that the situation is perfect.

In relation to what Mr. Cannan was saying, what we do see is a situation that's improving. Your comment is that it's really not improving. I notice that in your opening statement you mentioned the paramilitary groups, the Government of Colombia, the systemic corruption, but you did not mention FARC. You did not mention the terrorist organizations that are also in the country. I would assume that was an oversight and you did intend to mention them.

So we have all this combination of difficulties down there. My question to you is, what happens if we do nothing?

Mr. Gerry Barr: If the question is what happens if we don't have a trade agreement—

Mr. Gerald Keddy: No, no, if we do nothing, if we just leave it.

Mr. Gerry Barr: Let me deal with it in parts.

In terms of what happens if we don't have a trade agreement, we can look at what's there now. There are trade and investment arrangements. Canadian business has interests in Colombia. Canadian mining has very significant interests in Colombia. Presumably that will go on.

So it's not a question of either having a trade deal or no commercial ties and trade arrangements with Colombia. Plainly those are capable of standing on their own two feet without the extra incentive of a trade agreement. You mentioned FARC. Please treat them as included in all of the grievous challenges I've just described. The problem with the political discourse in Colombia is that there are citizens trying to carve out a middle way, a path of moderation and democracy, and space for participation. They're getting it from both ends, and it's not a pretty picture.

I think Mr. Neve has very ably described how that looks in practice. There is no—no—real signal that this is on its way to substantive change. You can take some paramilitaries out of the game, but the system in which they are organized remains fully intact. That is the challenge here. There is no signal whatever that the system has been taken apart.

• (1725)

The Chair: Thank you, Mr. Keddy and Mr. Barr.

Mr. Julian.

Mr. Peter Julian: Thank you very much, Chair.

We had pretty compelling testimony two weeks ago from DFAIT. They described how the enforcement of human rights would take place, that essentially there would be ministerial consultations, a dispute settlement panel and essentially money would be deposited in a solidarity fund. *Embassy* magazine, which has taken a position against the Canada-Colombia deal, said, "But the contradictions are too much, and the idea of a dollar amount being awarded for each extrajudicial killing, as if murder can be bought, is horrific." I'm wondering if you share that analysis that the idea of a dollar amount for killings, money deposited in a solidarity fund, is horrific.

I have three other quick questions. I believe union membership has collapsed in Colombia. I sense that would be as a result of the human rights violations. Could you comment on that? Are you aware of any cases where President Uribe has denounced individuals or organizations and subsequently death threats were issued or physical violence occurred? Are you aware of how many paramilitary organizations have been reconstituted. You mentioned, Mr. Barr, that they're out of the game in some cases and then they appear to be back. If you could comment on those....

Mr. Alex Neve: Let me take them in the order you outlined them.

The notion that we would set up a solidarity fund, or whatever it be called, to be there to remedy abuses after they've happened, to provide some sort of redress to victims after their rights have been violated, is simply not the approach. Surely we want an approach that is going to prevent and avoid human rights violations from happening in the first place, not to mitigate them in some way after the fact.

We come back to that central recommendation about the absolutely vital need for a strong, independent human rights impact assessment to be done. How it's even possible to set up the solidarity fund—to address what?—without having carried out the human rights impact assessment that really clearly identifies what the potential consequences and impact of this agreement for human rights are seems wrong-headed in itself. So it again comes back to the importance of that happening.

The issue of paramilitary reconstitution—recycling, as it's often called—is a very real concern in Colombia. It's true that significant numbers, through various processes of paramilitary, have supposedly been demobilized. It's now very well documented by sources like the Organization of American States, which has a mission on the ground monitoring the demobilization process, that there's a whole recycling process happening whereby new paramilitary groups, some of whom are the ones I referred to in some of those case examples—the death threats, etc.—are coming from those groups. There's a recycling happening. Get out of one group, be demobilized, and then these other groups are forming. Because of the deep impunity that continues to be so entrenched in Colombia, it's no surprise that people make those choices to reassemble into illegal groups that commit grave human rights abuses, because there haven't been consequences in the past.

With respect to concerns about activists, labour union activists, human rights defenders, and others who have received death threats and, worse, have been attacked and killed after, in some way individually or as a group, or even just as a broad sector, being criticized or denounced by not just President Uribe but other senior members of the government, absolutely, that's a very clear pattern. At my fingertips I don't have the precise....

• (1730)

Mr. Peter Julian: Could you provide them to us?

Mr. Alex Neve: Easily. There are numerous cases, including very recent cases of that being so. One of our key recommendations to the Colombian government—and this goes back years—is the absolutely vital importance that the government stop deriding the work of human rights defenders, who are so vital to moving forward a meaningful human rights agenda in Colombia, but constantly have their work derided in these ways that accuses them of being supporters or even direct members of guerrilla groups simply because they're speaking out about social justice issues. That has then traditionally been taken as an implicit signal to paramilitary groups that those individuals should be treated as valid targets.

Mr. Peter Julian: And union membership?

Ms. Gauri Sreenivasan: Thank you for those questions.

The onslaught against the trade union movement in Colombia has resulted in a serious decline, not only in the numbers of unionized workers in Colombia but also in the number of certified unions. According to the Canadian Labour Congress, who I think will appear before you in the first week of May, the number of workers covered by collective agreements in Colombia is now the lowest in the Americas; this from a heyday. So there has been a systematic destructuring of the basis for union members in Colombia.

I have just another quick comment about your characterization of the side agreement for labour and how we agree that there would be a kind of repugnant outcome in which actually the Colombian government would move money from one pocket to the other as it took account of the number of trade unionists that were killed. I think it actually speaks to a larger question, which is the weakness of the approach itself. This approach says that in a situation where the human rights crisis against workers is so high, you could have a paragraph, you could have a side deal that could work out a way to address it. The essential problem of the attacks on trade unionists and the impunity for those attacks is one of political will in the Colombian state. And you can't create will in the Colombian state to address workers' rights through a side agreement that Canada would organize, no matter how well the paragraph is crafted.

In the end, what are they left with? Well, perhaps you could pay yourself. I mean, I think it reflects a kind of weakness, that in a situation of crisis that great, the notion of working out some text to address it is itself a non-starter.

Lastly, on the concern the committee has about how to assess the reality on the ground, we're hearing different messages. We've tried to make this case before, but just to perhaps retable the notion, it may be useful for committee members, as they travel, to seek the possibility of getting out of Bogotá in order to access the groups, beyond immediate access from the capital—those that have a lot of information on the different spin. A lot of the violence, a lot of the kind of alternative reality of Colombia, is outside the capital. So if there's any way the committee is able to access groups and marginalized communities outside of Bogotá, I think it would go a long way to helping you triangulate the information you're getting.

The Chair: Well done.

Thanks, Mr. Julian.

Thank you again to our witnesses today. It was good timing, and we appreciate your being here.

We're out of time.

This is not for the witnesses, but I need to tell the members that we'll have our briefing kits for Colombia next week, on Wednesday, and the final program. Also, for your personal itineraries, if you travel from your constituencies to Bogotá, the tickets have to be issued on Monday. So we're going to try to get you, maybe by the time you get back to your office—

A voice: They're already there.

The Chair: They are? Okay.

If you have any questions about your personal itinerary, please have them returned by Friday if you need any changes at all, because we have to issue the tickets.

Mr. Gerald Keddy: Get your immunizations.

The Chair: There you go.

Thank you again.

The meeting is adjourned.

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