



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, February 5, 2003**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Wednesday, February 5, 2003

The House met at 2 p.m.

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*Prayers*

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• (1405)

[English]

**The Speaker:** As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Sackville—Musquodoboit Valley—Eastern Shore.

*[Editor's Note: Members sang the national anthem]*

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## STATEMENTS BY MEMBERS

[English]

### BLACK HISTORY MONTH

**Mr. Ovid Jackson (Bruce—Grey—Owen Sound, Lib.):** Mr. Speaker, February is Black History Week, a week in which we take some time out to celebrate the contributions by people of black heritage to Canada; people like Matthew Henson, the pioneer who discovered the North Pole; or M. Nourbese Philip, the poet who in her poems empowered women and gave self-esteem not only to women of colour but all women.

I urge all my colleagues to take some time out across this great country of ours to celebrate our diversity, to take time in their communities to pay tribute to a people who are sometimes not talked about in history.

What would our society be without air conditioners, refrigerators, the elevator, and blood transfusions? These are all contributions by people of black heritage.

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### SOFTWOOD LUMBER

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, what exactly is the international trade minister celebrating today in Washington? The government's incompetence with the softwood lumber file? The unemployment of 4,000 B.C. forestry workers? The bankruptcy of Doman Industries and others? Or maybe it is because the industry representatives from Canada and the U.S. have advanced softwood lumber talks further in five days than the Liberals have in the last three years.

The U.S. is threatening to double the current 27% duty on Canadian softwood lumber. Today our government responds by offering Americans Timbits, caribou meat and beer. This comes on the heels of the government's \$17 million ad campaign that relied upon *Leave it to Beaver* nostalgia with slogans like “We grew up together” and “Let's keep a good thing growing”.

Is this the best the Liberals can do for our forest industry? When will this spineless, out of touch government shed its feel good tactics and give our lumber industry free access to U.S. markets?

\* \* \*

[Translation]

### CHARLIE BIDDLE

**Ms. Diane St-Jacques (Shefford, Lib.):** Mr. Speaker, yesterday we were saddened to learn of the death of Montreal jazz great Charlie Biddle, at the age of 76.

A native of Philadelphia, Charlie Biddle emigrated to Canada in 1948. He was a side man for such greats as Oscar Peterson, Thelonious Monk and Charlie Parker and was greatly respected by his fellow musicians. Charlie Biddle redefined the Montreal jazz scene.

He worked as a car salesman during the day for 18 years, while playing the clubs of Montreal at night. He made a name for himself internationally with his appearances at the Youth Pavilion during Expo 67. In 1979 he organized a three day long jazz festival which many consider the forerunner of the Famed Montreal International Jazz Festival, which began in 1980.

In January 2003, the Saint-Jean-Baptiste Society honoured Charlie Biddle with the Calixa Lavallée award for his contribution to the ever expanding jazz scene. The next day, he received the Order of Canada. His devotion and passion show through in his music.

On behalf of the Government of Canada, I wish to pay tribute to him for his body of work—

**The Speaker:** The hon. member for Louis-Hébert.

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### BEAUPORT BAY

**Ms. Hélène Scherrer (Louis-Hébert, Lib.):** Mr. Speaker, at a press conference yesterday, the chairman of the board and the CEO of the Quebec Clty port authority unveiled a development concept for the beach area of Beauport Bay.

*S. O. 31*

The proposal makes it possible to further develop the natural attractions of the bay, while integrating its present and future vocation as a port.

This project, designed both to promote tourism and recreation and to underline the importance of expanded port activities, will gain the approval of all residents of the Quebec City area, I am sure.

I congratulate the port authority for this project, which will showcase the economic, touristic, sporting and environmental aspects of the region's potential.

The best of success to Beauport Bay and to all the various stakeholders involved in this collaboration.

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[English]

**MUSGRAVE HARBOUR**

**Mr. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I am saddened today to ask the House to join me in extending our condolences to the friends and families of the five hunters who lost their lives this week in Musgrave Harbour, Newfoundland.

Five men, including a father and his two sons, died while duck hunting near Wadman Island on Monday. There was only one survivor.

Every resident of Musgrave Harbour, and indeed every Canadian, has been touched by this terrible accident. These five men will certainly be remembered fondly by all those who knew them.

I am sure that all members of the House will join me in extending our deepest sympathies to the community of Musgrave Harbour and to those who lost loved ones in this devastating tragedy.

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●(1410)

**GOVERNMENT CONTRACTS**

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, during his time as junior minister of amateur sport, it was alleged the immigration minister personally intervened in awarding a half million dollar contract to advertising firm Groupe Everest, whose owner is a well known long time friend of the minister.

On November 5, three months ago today, following a suggestion made by the Deputy Prime Minister in question period, I wrote to the ethics counsellor, Howard Wilson, asking him to investigate.

Receiving no response, I again wrote to Mr. Wilson on November 20. Once again, I received no response. On December 5 I attempted to personally raise this matter with Mr. Wilson in committee, but my questions were ruled out of order by the Liberal chairman; yet again, no response.

It is now February 5 and we still do not know if the Minister of Citizenship and Immigration is guilty of a conflict of interest, but we do know that the so-called ethics counsellor is not doing his job.

**ONTARIO SPECIAL OLYMPICS**

**Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.):** Mr. Speaker, this past weekend I had the pleasure of attending the closing ceremonies for the Ontario Special Olympics winter games held in my riding.

In all, 300 athletes participated in the games and 800 volunteers helped to ensure that the games ran smoothly. The medal winners will move on to the nationals in Prince Edward Island next year.

I would like to thank the many volunteers in the community who worked hard and gave so generously of their time.

[Translation]

I would like to repeat what I said to the athletes on Saturday night.

"I applaud your spirit and your dedication. Your efforts have set an extraordinary example. Our community is richer because you have participated in the winter games here with us".

\* \* \*

**CHARLIE BIDDLE**

**Ms. Caroline St-Hilaire (Longueuil, BQ):** Mr. Speaker, Quebec has lost one of its pioneering jazz musicians. Charlie Biddle, the famous bass player, passed away yesterday at the age of 76.

His body of work was prodigious. His passion and dedication in setting a style that reflected his roots were unequalled. His love of Quebec and music, and his pride in expressing his art in his adopted home all contributed to feeding our hunger for jazz and also helped Montreal earn its international reputation as a centre for jazz.

This great musician whose fingers pulsed with emotion sent shivers down our spines for more than a half century and became one of the jazz greats. In recognition of his exceptional contribution to Quebec's music scene, he was awarded the Oscar Peterson Award and on January 18 he received the Calixa Lavallée Award for music, given annually by the Société Saint-Jean-Baptiste, from the Premier of Quebec, Mr. Bernard Landry.

On behalf of my colleagues from the Bloc Québécois, I offer my sincere condolences to his family, his many friends as well as all his fans.

Thank you Charlie Biddle for having been Quebec's ambassador of jazz. Your music will play on in our hearts.

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**INDUSTRIAL MATERIALS**

**Mr. Nick Discepola (Vaudreuil—Soulanges, Lib.):** Mr. Speaker, on January 21, the Government of Canada announced a \$11.3 million investment in Valotech for the establishment of the Crossroads for Industrial Materials Innovation (CIMI) on the NRC's Industrial Materials Institute site in Boucherville.

The Government of Canada is partnering with Valotech, a not-for-profit organization, whose mission is to contribute to Montréal's economic growth in order to create a technological cluster providing space and services to new industrial materials enterprises.

This is yet another example of our government's dynamic research and innovation strategy in all regions of Canada.

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[English]

#### NEW BRUNSWICK

**Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance):** Mr. Speaker, residents of New Brunswick have been hit hard by the ravages of an ice storm. Initially power was cut to 63,000 homes and businesses sending them into a cold darkness, and 27,000 still remain powerless. Now the weather forecast is calling for further severe winter storms to hit the Atlantic coast, adding to the bad news that New Brunswickers have faced.

Residents have been forced to take up temporary quarters in hotels, motels, with friends or neighbours or in emergency shelters. We understand what these brave people are facing. Frozen water lines, displaced families and lost business revenues are only some of the hurdles that people are dealing with.

I salute the hydro crews who have been working around the clock to restore power. Also the Red Cross volunteers and the host of caring friends, neighbours and even strangers who are reaching out to each other during this trying time.

It is during times like this that we see the very best qualities of our fellow human beings rise to the surface. Whether it be during the recent avalanches in my home province of B.C., the floods in Manitoba and Quebec or the ice storm in central Canada, we need each other.

Our thoughts and prayers go out to the people of New Brunswick, and on behalf of the Canadian Alliance, I wish them all the best.

\* \* \*

• (1415)

[Translation]

#### COMMUNITY ACCESS CENTRES

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, I am very pleased to rise in the House today to highlight the opening of three community access centres within the Haitian community of Saint-Léonard and Saint-Michel.

In recent weeks, I had the honour of giving, on behalf of the Government of Canada, a total of \$51,000 to three organizations: the Association des citoyens d'origine haïtienne au Canada, the Association haïtiano-canado-québécoise d'aide aux démunis and the Centre d'action communautaire et d'insertion sociale multi-culturel.

This program is establishing public Internet access centres. It gives Canadians opportunities for innovative learning, skills development and access to government services.

Several centres in the Saint-Léonard—Saint-Michel riding have benefited from this program, which represents an investment of over \$510,000.

S. O. 31

[English]

#### FISHERIES

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, we too, on behalf of the New Democratic Party, extend our condolences to the families and people of Newfoundland and Labrador over the recent tragedy of the five people who passed away.

Parliament has been inundated now and we have been bombarded with west coast fishermen, aboriginal groups, men and women of coastal communities and commercial fishermen who have come to Ottawa to address very serious concerns over the future of their livelihoods when it comes to commercial fishing on the west coast of British Columbia.

Their concerns are not that there is not enough fish. In fact there is enough fish for these people to have an economic opportunity. Last year the British Columbia coastal communities lost \$240 million in economic activity because the regional department was unable to make decisions in consultation with the commercial groups.

We encourage the Minister of Fisheries and Oceans to sit down and work with commercial fishing groups, aboriginal communities and coastal communities to develop long term strategies for economic—

**The Speaker:** The hon. member for Lévis-et-Chutes-de-la-Chaudière.

\* \* \*

[Translation]

#### INTERNATIONAL DEVELOPMENT WEEK

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, on behalf of the Bloc Québécois I would like to mark International Development Week by congratulating the members of the many organizations that advocate and work for developing nations. A special thanks goes out to the organizations of the Association québécoise des organismes de coopération internationale.

Unfortunately, since the current government came into power in 1993, funding for international cooperation has been cut dramatically. Although an annual increase of 8% was announced in the last Speech from the Throne, the absence of \$500 million promised for the fund for aid to Africa brings Canada's contribution to 0.27% of its GDP. Note that it was 0.45% under the previous government. This is far from the 0.7% recommended by the UN.

Worse still, the portion of Canada's contribution that is allocated to non-governmental organizations continues to decline because of the administrative costs of purchases made on Canadian soil. NGOs are central to—

**The Speaker:** The hon. member for Chicoutimi—Le Fjord.

*Oral Questions***ALUMIFORM**

**Mr. André Harvey (Chicoutimi—Le Fjord, Lib.):** Mr. Speaker, on Friday the Secretary of State for the Economic Development Agency of Canada announced a major financial contribution of nearly \$3 million for Alumiform, a small business in Chicoutimi that specializes in aluminum processing.

Alumiform hopes to use this money to tap into a future of great opportunities in foreign markets, especially the American and European markets.

The Canadian government's participation in this project is important, given the major impact it will have on the local economy. The Alumiform project will consolidate the 40 current jobs and create 80 new jobs.

This is another example of how the Canadian government helps in developing the regional economies of our country.

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[English]

**CANADA-U.S. RELATIONS**

**Mr. Bill Casey (Cumberland—Colchester, PC):** Mr. Speaker, in December Liberal MPs asked the government to appoint a special group of cabinet ministers to develop "a more coherent strategy to improve relationships with the United States". Instead, we have the fiasco of the Minister for International Trade holding a sales event jammed in between memorials for the seven astronauts killed in the crash of the *Columbia*. This lack of respect not only trivializes the *Columbia* fatalities but diminishes the real issues between these two countries such as the ongoing problem of softwood lumber.

This Canada sales event should have been postponed for a more appropriate time and the government should make every effort to mend fences, not aggravate an already fractured relationship.

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**ORAL QUESTION PERIOD**

• (1420)

[English]

**FOREIGN AFFAIRS**

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, we all know that Secretary of State Powell for the United States made a presentation this morning to the United Nations. The presentation was described and the evidence presented. It has been described by the Minister of Foreign Affairs as disturbing and persuasive.

In the presentation, Secretary of State Powell joined with the coalition of voices, including Australia, the United Kingdom and others, saying that Saddam Hussein was in material breach of the United Nations Security Council resolution 1441. Does the Government of Canada share that opinion?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, we certainly agree with the conclusions stated by the hon. member in terms of the excellent presentation made by Secretary Powell this morning.

I might say that Secretary Powell, along with other countries in the world, Canada included, have said that the United Nations process is the proper process for us to follow. This is where we are. It is clear that process will continue.

Dr. Blix will be reporting on these disturbing allegations of Secretary Powell. We will be taking action in conformity with the world opinion and the way in which peace and global governance can be assured.

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, while we appreciate that, I thought I asked a clear question and I would like to get a clear answer.

Dr. Blix was clear. He already said that Iraq was in non-compliance of the UN resolution. The allied coalition, the United States, the United Kingdom and Australia, have been clear in saying that Iraq is in material breach.

Rather than sit on the fence for the world to see, would the government answer this simple question: Is it or is it not in agreement with our allies that Iraq is in material breach of the United Nations Security Council resolution 1441?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, unfortunately the question is not that clear because it contains within it the seeds of another question which is: if there is a material breach what are the consequences of that material breach?

Those consequences can only be determined when Dr. Blix reports back as to whether or not the process has had a chance to work.

I would remind the hon. member of his very wise words of last January, when he said that he thought everyone should wait and assess the evidence before deciding on the most appropriate course of action.

We are doing that. He agrees with that. Let us stay that course. It is working.

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, we are assessing the evidence. Canadians expect the government to be able to do that on its own for the benefit of the rest of the world.

Major countries have said that Iraq is in material breach of resolutions. I do not understand why the government is unable to. What is the logic at this point of giving Saddam Hussein the benefit of the doubt?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, that is why the government has consistently insisted on evaluating the evidence ourselves, for ourselves, in our own interest, not dictated by any other power.

The point of the matter is that resolution 1441 says that Iraq is in material breach in its first line.

The important thing is how do we make this system work in a way which disarms Saddam Hussein, if possible with peace, and reinforces the efficacy of the global security system we have established? That is what we are doing. We are doing it effectively. The Prime Minister, myself and all of the government is working on that. It is starting to work.

*Oral Questions*

**Mr. Grant Hill (Macleod, Canadian Alliance):** Mr. Speaker, here is the evidence that was presented to us: satellite pictures; intercepted phone conversations; and information that there are mobile labs producing anthrax. That information is good enough for our closest allies.

Just what evidence would it take before the government would finally get off the fence?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I think what it will take is exactly what it will take for Secretary Powell, for the United States administration, for the United Kingdom government and for others, and that is to hear Dr. Blix when he takes this to Saddam Hussein and says that he must conform with this or else, and brings an answer back to the Security Council.

No country in the world is anxious to declare anything before that happens. We are all working in conformity. Why does the opposition not work with the team instead of just trying to throw sand in the wheels of it?

• (1425)

**Mr. Grant Hill (Macleod, Canadian Alliance):** Mr. Speaker, they all said, very plainly, that Iraq was in material breach. Why will we not?

[*Translation*]

Canada has a strong democratic tradition. When the decision to deploy troops is made, Canadians expect their representatives to have the opportunity of doing more than just talk.

Will the Prime Minister allow a vote on the action against Iraq, yes or no?

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I already explained House procedure yesterday. Furthermore, unless I am mistaken, the opposition has already informed the Chair of its intention of introducing a motion. No doubt, the opposition will have the patience to wait for the results of its own motion before anticipating the outcome.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the information presented by the U.S. Secretary of State to the Security Council was far from sufficient to justify a war against Iraq.

Given that Colin Powell himself acknowledged that he had no solid proof that Iraq had violated resolution 1441, will the government finally assume its responsibilities on the international stage and clearly state that a second resolution is needed to make any military intervention against Iraq legitimate?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I am hearing all kinds of different views from the other side of the House. The only consistent position has been on this side of the House. Our policy is that the rules set out in resolution 1441 must be respected. The process is established. Secretary of State Powell demonstrated this morning that the situation is very serious and will require a response from UN inspectors. This response will be given on February 14.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, if the minister is hearing any clear views on this issue, it is that of the Canadian Alliance, which supports military participation along-

side the United States without UN approval. He also hears the view of the Bloc Québécois, which is that there should be absolutely no intervention in Iraq without the approval of the United Nations. However, from the government side, we are hearing nothing about their position.

Will the minister at least say that we will not participate in a military intervention in Iraq unless there is a second resolution from the Security Council? Will he tell us that? That would be clear, for once.

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the Prime Minister has always said that if the United Nations gives its approval, Canada will do its share. He said it from the outset and he explained it to President Bush.

This is the basis of our policy, which has always been to work with the United Nations and the Security Council, and to maintain this position. It is a good policy, one which has produced results. Let us then stick to this good policy established by the Prime Minister and the government.

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, these are serious times and things are happening quickly. The government may very soon have to make decisions about its participation in a possible conflict with Iraq.

Before sending troops, does the government intend to allow a vote and seek the opinion of the House?

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it seems that answers often need to be repeated.

A few minutes ago, I clearly indicated to another member that a motion is apparently before the House to be debated tomorrow on this specific issue.

Yesterday I was asked if there would be an opposition day for the party in question, namely the Bloc Québécois. An opposition day has already been scheduled for Monday. They can choose the topic for debate that they deem appropriate.

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, Canadians are very reluctant, and Quebecers even more so, to become involved in a war against Iraq.

Regardless of the decision it makes, does the government not realize that it has to seek support by a vote in the House of Commons? It should know it needs this.

• (1430)

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, unless I am mistaken, you are going to announce a little later on a motion that has already been made public about tomorrow's debate on this matter. The hon. member is asking us to indicate today how we will vote tomorrow. That is not how it works.

[*English*]

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, today Colin Powell gave so-called evidence that the U.S. should have given the UN inspectors from the outset, which raises the question: Why was the U.S. stalling?

*Oral Questions*

I think today the answer is clearer. To his declassified photos, Powell could only add "We don't know precisely what Iraq was moving".

Does the Prime Minister believe that this is the proof, or will the proof be the proof when it is proven?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I strongly recommend to the hon. member that she read resolution 1441. Article 4 of resolution 1441 imposes obligations on Iraq to co-operate fully with the United Nations inspection.

I think Secretary Powell demonstrated clearly this morning that Iraq is not co-operating fully with the inspection regime as required by resolution 1441.

That is where we are. Iraq now has a chance to bring itself into conformity when the inspectors go back into Iraq. That is the process we have established, the process we will follow and the process that will work.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, France, China and Russia, all permanent members of the Security Council, remain unconvinced of the need for war.

Powell says that the UN is in danger of becoming irrelevant, and he is right. If countries like Canada remain silent or even ambivalent in their defence of UN inspections, the UN will become irrelevant.

Will the Prime Minister and the foreign minister, with one clear voice, join France and Germany and commit Canada's unequivocal support for the UN inspectors' ongoing work?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, we are not joining France and Germany. We are not joining the United States. We are representing the voices of Canadians.

Canadians want a chance for the UN system to work and, if possible, for Iraq to be disarmed with peace, and we continue to work toward that goal.

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**HEALTH**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, my question is for the Deputy Prime Minister.

It now appears that the Prime Minister's offer of new health care money to the provinces includes money that had already been pledged to the provinces, including funds going as far back as September 2000.

Could the Deputy Prime Minister explain exactly how much of the federal offer is new money? Could he tell the House why the federal government pretended it was investing so much more money in health care than it actually was?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I do not think it is complicated to say that we would want to indicate how much was being increased on an annual basis in transfers to the provinces, and that includes increases that had been previously promised. That of course will be expended by provinces, we would hope, on health care, together with additional funds that we will make available. That to me is entirely sensible.

**FOREIGN AFFAIRS**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, earlier today the Australian senate passed a motion of non-confidence in Prime Minister Howard for having sent troops to the gulf without parliament's approval.

On a similar motion, Australia's lower house supported the government. Both houses in Australia's parliament had the opportunity to vote. That used to happen here in this House of Commons.

My question is for the Deputy Prime Minister. Was the Liberal Party of Canada wrong to insist on a vote on sending troops to the gulf 10 years ago?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I think it is clear that any decision taken by the government to engage Canadian troops and put them in harm's way in a situation of conflict is a serious matter. If the House lacked confidence in the government, then that evidence would be quite rapidly forthcoming. It would be a crucial decision on which the House's confidence would be needed.

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**HEALTH**

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, Canada's health care system is in disarray and it has been for years. Today the premiers are meeting with the Prime Minister to bring quality and timely access back to the system.

Will the government commit today to provide the necessary money, let the provinces do their job and restore the core of Canada's health care services?

● (1435)

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I think we share common objectives with the provinces in respect of health care, and that is to produce a system that meets ever better the needs of Canadians. That includes important issues that we have raised in the draft accord which the first ministers are discussing at the present time.

I do not think it is a question of who is accountable to whom. I think it is a question of the services being available to Canadians and that governments need to be accountable to Canadians.

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, I was always told "build the foundation strong and the house will stand", but according to some estimates, the Prime Minister's last offer to the premiers was to allocate 80% of the new funds to new promises. That leaves only 20% for the existing core.

How will Canadians get the relief for the long wait list or the shortage of doctors and nurses when the Prime Minister is focused on the promises outside the core?



*Oral Questions*

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, is access to primary care fringe, or is it not a core requirement of the medical system? Is the fact that sometimes the cost of pharmaceuticals becomes catastrophic for some individuals not an important element?

What we are looking for is better results for Canadians, and this is what we have heard from Canadians from one end of the country to the other. This is what they want. This is what they expect. This is what they are seeking to achieve.

\* \* \*

[Translation]

**SOFTWOOD LUMBER**

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, in the wake of the Minister for International Trade's visit to Washington with regard to the softwood lumber crisis, the papers are giving two contradictory versions, one anticipating a truce with the United States through the imposition of an export tax, and the other saying that no agreement was reached and that Canada is maintaining its position.

Can the government confirm that it does not intend to agree to any compromise that will be detrimental to workers and companies, and that its position is, indeed, to restore free trade?

[English]

**Mr. Murray Calder (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, I thank the member for his question. What the minister is negotiating right now is a long term solution. If in fact there were going to be an export tax it would be a bridging mechanism only.

[Translation]

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, rumours are circulating that the government intends to open the door to a new regime that would be applied differently in each province.

Can the government tell us if there is any truth to these rumours?

[English]

**Mr. Murray Calder (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, the situation is going to be very simply this: Canada, and the minister is down there right now, is negotiating the best position we can get, and quite frankly we are going to make sure that all provinces are treated equally.

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**FIREARMS REGISTRY**

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, on Monday the justice minister tabled the 27 page version of the Hession report in Parliament. Then I found out that the media received an additional 65 page report containing all the financial information Mr. Hession used to prepare his report and recommendations.

Why does the justice minister persist in hiding key information and keeping Parliament in the dark? Why?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I must say that the hon. member is keeping himself in the dark.

I said yesterday that obviously he did not go to the briefing session and it shows even more today. We have tabled two reports, two very important reports, in order to prepare our plan of action. The report which was produced at the briefing session and which the media have had access to, and other members of Parliament as well, is a report which has been used as a background to prepare Mr. Hession's report.

He called the department yesterday and received a copy. I guess he finally has read the press release.

• (1440)

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, one of the Auditor General's biggest complaints about the gun registry issue was that Parliament was kept in the dark. After her report was released, the minister promised to be open and transparent.

The 65 page report was released to the media but was not tabled in this House.

How can Canadians trust the minister when he deliberately withholds important information concerning the future costs of this billion dollar boondoggle?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I did not have to table those two reports in the House. I did it because I want to work in a very transparent way. I did it because I want to work with parliamentarians in order to make sure that all together we produce a good plan of action.

If he would have done his homework, he would have been at the briefing session and would have had access to the documents that have been used by the media.

The problem is that they do not believe in gun control and they do not believe in public safety. On this side of the House we believe in gun control and public safety and we will proceed with that program. We will fix it once and for all.

\* \* \*

[Translation]

**FINANCIAL INSTITUTIONS**

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, a merger of the major Canadian banks will have a direct impact on the public, given the scope of the economic and social issues involved. In the Standing Committee on Finance, many witnesses have called for a careful examination of consumer services in order to ensure that consumers do not bear the brunt of such a merger.

Does the Minister of Finance agree that it would be in the public interest for any planned bank mergers to always be submitted to a parliamentary committee for scrutiny, contrary to the recommendation of the Senate committee last December?

*Oral Questions*

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, first of all, I raised this matter not only in the Senate committee but also in the House committee, because I want to have their opinions. I will be delighted to examine their report carefully once it is ready.

Second, House committees are always entitled to examine any matter they wish.

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, the reduction in competition and the fate of the communities and bank staff involved in mergers also need to be addressed.

With a view to transparency, does the minister plan to implement a mechanism for local public consultations when planned mergers would bring about branch closures, before any planned closure occurs?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, if the finance committee so recommends, I will certainly consider it. I should also point out that anything to do with competition is a matter that needs to be addressed by the Commissioner of Competition.

\* \* \*

[English]

**SOCIAL INSURANCE NUMBERS**

**Miss Deborah Grey (Edmonton North, Canadian Alliance):** Mr. Speaker, time and time again the government has dropped the ball on securing our social insurance number network and system. HRDC has admitted that a \$2.3 million student loan and tax scam involving 68 fraudulent social insurance numbers could potentially be linked to terrorism.

The Auditor General warned us last fall about the existence of five million extra social insurance numbers on cards floating around in Canada. That door is wide open to further abuse.

The department is completely unwieldy and the minister has zero control over it. Why is she jeopardizing our security by allowing identity theft of SIN cards?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, let me remind the hon. member of what the department is doing to secure the integrity of the social insurance number.

First and foremost, since 1998 we have had an integrity improvement program in place. We have more than tripled the number of investigations that are undertaken. In the year 2000, the Auditor General recognized this integrity program and saluted the department for it.

More recently, the Auditor General has asked us to increase the pace of that implementation. We are doing that, and I have made clear in the House three new additional requirements associated with the integrity of social insurance numbers.

**Miss Deborah Grey (Edmonton North, Canadian Alliance):** Mr. Speaker, we have gone from a six point plan down to a new three point plan and it does not seem to be a terrific success. This system has been abused and the minister cannot reassure Canadians,

regardless of what she has attempted, that their identity systems are in fact secure.

Even after two years of departmental investigation into the student loan and tax fraud, the minister has done precious little to improve that security. Her department itself admits that there are loopholes in government programs which allow such fraud and identity theft to continue.

When will she stop talking and start plugging these holes?

● (1445)

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, the hon. member is just plain wrong. As I said, since 1998 we have been working to increase and improve the integrity of the social insurance system.

I have announced, and it is very clearly understood, the three new regulatory measures that have and will additionally add to the integrity of that system, but one thing is clear, whenever the department receives information about fraudulent use of the social insurance number we investigate. We work with the appropriate authorities and we prosecute those who are proven to be responsible.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Raymond Simard (Saint Boniface, Lib.):** Mr. Speaker, since 1999 Canada has been holding ministerial consultations with Mexico regarding a complaint received in 1998 under the labour side agreement to NAFTA. The complaint, known as CAN 98-1, argued that workers in Mexico were not guaranteed the right of secret ballot votes during union drives.

I would ask the minister to inform the House of the outcome of these discussions.

**Hon. Claudette Bradshaw (Minister of Labour, Lib.):** Mr. Speaker, I am happy to report that following several face to face meetings, my Mexican counterpart and I have concluded our consultations on this issue.

The Mexican government recently submitted a labour reform bill to Congress which will include mandatory secret ballots during union representation elections.

I would like to congratulate the staff of the labour program and our Canadian unions, both of which have worked very hard on this difficult file.

\* \* \*

**HEALTH**

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, my question is for the Deputy Prime Minister about a grave threat to Canada's public health care system.

Today we learned that Don Mazankowski, who was the privatization minister under Brian Mulroney and the director of several private insurance companies, may chair the proposed Canada health care council. Does the government not understand that the appointment of Don Mazankowski, who is king of the privatizers, would be another step on the road to the dismantling of Canada's public medicare system?

Why will the government not stand up to the privatizing provinces and join with Lorne Calvert and Gary Doer in saying no to this outrageous appointment?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I am stunned that he would raise this, because I know that the former deputy prime minister holds the member in such high regard.

The first ministers are still meeting. We are not at the point of determining today who is on or who is chairing such a council.

\* \* \*

#### FISHERIES

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

Last summer British Columbia fishermen in coastal communities lost over \$240 million of economic opportunity to capture the millions of fish that came back up the rivers. The reason was that regional DFO managers were not allowed to make decisions that would greatly affect and help these people.

My question to the minister is this. Will he now allow regional DFO managers to make decisions that will benefit west coast commercial fishermen and aboriginal groups?

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, last year was one of the most successful seasons we have had on that coast in a long time. It perhaps could have been better. I am concerned with the fact that maybe we were unable to make decisions as fast as we could have. I met with all the groups that the member mentioned. I asked for a post-season review to be conducted. All those groups got together and are putting together recommendations that should be presented to me this year.

That being said, I should also say that the management of those stocks on the west coast is very difficult because there are some low abundant stocks that are mixed with high abundant stocks. Last year there was a great return for the high abundant stocks and, for the first year in many, a low pre-spawn mortality, which is a good harbour for the future.

\* \* \*

#### NATIONAL DEFENCE

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, my question is for the Minister of National Defence.

Media reports published this morning suggest that in the event of a war against Iraq the Canadian government would send our troops to Afghanistan to relieve American soldiers. Only eight months ago we were unable to sustain a deployment of 750 ground troops for more than a single rotation.

Is this actually the government's plan? If so, where does the minister expect to find the manpower resources to replace our American allies?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, it is perfectly true that when the 800 soldiers returned from Afghanistan last summer we held open the possibility that they might return there at some point in the future. Our commitment to

#### Oral Questions

the war on terrorism has never been in doubt, so the military, as militaries do, is making contingency plans in terms of various possibilities in Afghanistan or elsewhere in the world. That is normal, but no decision has been made.

\* \* \*

●(1450)

#### SOFTWOOD LUMBER

**Mr. Bill Casey (Cumberland—Colchester, PC):** Mr. Speaker, even though the Minister for International Trade for months and months has said he would never adopt an export tax solution to the softwood lumber issue, this morning we received a copy of his own working papers that he is using in Washington. Line 1 states:

When the agreement comes into force Canada will collect an...export tax on softwood lumber exported to the United States.

If the government is finally adopting an export tax solution, why did it wait for thousands of B.C. jobs to be lost? Why did the government send over \$1 billion to the United States that could have been kept here for health care? Why is there no recognition of the unique circumstances of the independent lumber remanufacturers?

**Mr. Murray Calder (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, if the member had really read that article he would have found that the minister said first that they were going to work with a long term solution, and if they needed a bridging mechanism like an export tax that is what they would be using.

\* \* \*

#### JUSTICE

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, the family and friends of Irene Thorpe of Vancouver have now suffered two devastating blows. The first was her senseless death when she was killed by a speeding street racer. The second blow came Monday, when a judge decided that the man convicted will remain free to live and work as before.

This man is a guest in Canada. The law says his criminality makes him inadmissible to stay in our country. Does the government intend to apply the law and remove this culprit from Canada?

[Translation]

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I thank the member for her question. The answer is very simple. Under the Immigration Act, we expect that sentences will be commuted and then the act will be enforced, allowing for removal.

*Oral Questions**[English]*

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, Canada's new immigration law says that engaging in acts of violence and endangering the lives of persons in Canada will result in inadmissibility to live here. It also says someone is inadmissible who is convicted of a crime that can get 10 years in jail.

The man who ran down Irene Thorpe was convicted of criminal negligence causing death. This crime can draw a life sentence. Therefore, the person responsible for Irene's death is inadmissible to Canada. Will he be removed as the law requires?

*[Translation]*

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I think that the translation was not adequate. What is being said is that, according to the Immigration Act, before a removal order can be carried out, a sentence must be commuted, the individual must fully serve their sentence, and then the act can be enforced.

We shall enforce the act as set out by the department.

\* \* \*

**NATIONAL DEFENCE**

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, in response to a question I put to him last week, the Minister of National Defence was unable to explain why the Quebec City dimensional metrology reference laboratory was being closed and moved to Gatineau.

Is he now able to defend this completely unjustifiable decision, which is causing the loss of high tech jobs in Quebec City?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, as part of a broad plan to improve efficiencies in the Canadian Forces calibration program, two underused laboratories were merged in Gatineau.

The decision to move the laboratory was made based on consultations with representatives from my department and specialists. The answer is that it is more efficient.

I can say that not one of the MD1 employees who worked in Sainte-Foy has ended up unemployed as a result of this merger. Therefore, it has been a great success in terms of both efficiency and

**The Speaker:** The hon. member for Québec.

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, that is not what we are being told by the employees who are affected by this decision made on the sly, without consulting employees or political or socioeconomic stakeholders in the Quebec City area.

Will the minister tell us how could he have allowed this decision to be made?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, as I said several times, one of my major objectives is to increase efficiency in my department for the benefit of taxpayers.

However, at the same time, in this case, there were extensive consultations and five out of five employees are extremely satisfied with their current jobs.

● (1455)

*[English]***JUSTICE**

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, last week the Manitoba Court of Appeal ordered house arrest, overturning a two year sentence in prison for a man convicted of dangerous driving killing two women.

Canadians are outraged by the courts no longer treating these crimes seriously. However, the fault lies with the Liberal government which opened prison doors for criminals with the introduction of conditional sentences in 1996.

Will the minister commit today to change the law to restrict the use of conditional sentences to non-violent crimes?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, conditional sentencing has been in place for quite some time. It has been used as well by the courts.

As I said yesterday, we have been discussing the question of sentencing as a whole, and to be more precise, the question of conditional sentencing at the last meeting with my provincial and territorial colleagues. We would like to tell the House as well that the justice committee has the mandate to review the question of conditional sentencing.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, the death of innocent people requires a clear denunciation by the justice minister. Instead, the minister looks for consensus, conducts more discussions and shuffles things off to committees but does nothing to step up to the plate and stand up for victims of crime.

How can the minister ask Canadians to accept that living at home instead of two years in prison is an appropriate sentence for killing two innocent Canadian women?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the hon. member is referring to a sad event, but the question that he is asking me today is about conditional sentencing. That has been developed with the legal community. It has been used as well by the courts. It has been used well and has a good purpose. We are reviewing it. To be more precise, as I said, the justice committee is looking into it at this very moment.

\* \* \*

**FOREIGN AFFAIRS**

**Ms. Paddy Torsney (Burlington, Lib.):** Mr. Speaker, as a world model for federalism, Canada and Canadians have worked with pride through the Forum of Federations to enhance these systems of government.

*Oral Questions*

Last week the President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs signed a memorandum of understanding with Mexico's Secretary of the Interior, Santiago Creel, to cooperate on federalism.

Could the minister's parliamentary secretary tell the House what this MOU will mean for Canadians and for Mexicans?

**Mr. Joe Peschisolido (Parliamentary Secretary to the President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.):** Mr. Speaker, I know that the member has worked very closely with the forum. This is the first time that Canada has signed a memorandum of understanding on federalism with another country.

Mexico is working very diligently on this active reform program and it is important for Canada to enhance and work with Mexico in this process. The areas of cooperation in this field include transparency and accountability, intergovernmental affairs and intergovernmental relations. Through this agreement, Canada will work very closely with its friends in Mexico.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, on February 3 the trial of Zimbabwean opposition leader Morgan Tsvangirai began in Harare. The trial's principal witness is Ari Ben-Menashe, a Canadian who produced a tape that led to the charges of treason against Mr. Tsvangirai.

An RCMP investigation showed very clearly that there is absolutely no evidence whatsoever linking Mr. Tsvangirai to the alleged murder attempts against Robert Mugabe.

Will the government release the outcome of this RCMP investigation and make it available to the court in Harare?

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, I will endeavour to look into the matter that the member has raised.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, this is not an academic exercise. Mr. Tsvangirai is the leader of the opposition. The evidence demonstrated that this is a failed and flawed tape.

Mr. Ben-Menashe has been known to lie like people breathe. He is allegedly involved in the trafficking of blood diamonds and is wanted for fraud internationally.

Will the Government of Canada ensure that the trial of Mr. Tsvangirai is going to be free, fair, transparent and that a Canadian is not going to be implicated in the murder?

• (1500)

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I thank the hon. member for his question because I know he is following this trial with interest.

We are very concerned that this trial, when a leader of the opposition is charged by a government, has a political dimension to it. Canadians and Canada are following it closely. We have had representatives at the trial. We are insisting that the trial be conducted with scrupulous attention to the international standards which it requires.

[*Translation*]

**GOVERNMENT CONTRACTS**

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, in connection with the sponsorship affair, the Minister of Public Works wants to wait for the end of the investigation before taking action against certain departmental employees.

The deputy minister responsible for the investigation, Janice Cochrane, told the committee that the problems with the sponsorship program were not because of any ethical shortcomings on the part of departmental staff. The Auditor General, however, has already said otherwise.

Is it not surprising that the person responsible for getting to the bottom of this affair is already drawing conclusions before even starting to investigate? Is this not proof of the need for an independent public inquiry?

[*English*]

**Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, I think that is an unfair allegation. It was the deputy minister after all who initiated the file review process. She initiated the administrative review process. She made some of the very early references to the RCMP. She has been assiduous in pursuing the file and getting to the bottom of it.

I hope that within a matter of a few days we will be in a position to comment further on the proper procedures with respect to the administrative review process.

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**FIREARMS REGISTRY**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, earlier today the Minister of Justice confirmed that the government intends to continue to fund the gun registry.

Will the Minister of Justice tell the House whether the government intends to use closure on Bill C-10A which the government needs to pass before any changes can be brought to the gun registry? Will he advise whether the government will allow a free vote on this gun registry bill?

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I think the right hon. member has his facts incorrect. First of all, Bill C-10A is not before the House. It is an amendment produced by the Senate to C-10A, the result of which is to lower the cost of gun control. He is now trying to depict that it increases the cost. He has the facts backwards. The facts speak for themselves again.

\* \* \*

**THE ENVIRONMENT**

**Mr. Werner Schmidt (Kelowna, Canadian Alliance):** Mr. Speaker, last week seven young skiers tragically lost their lives in an avalanche. Avalanche forecasting like that provided by the Mountain Weather Station in Kelowna could not be more critical at this time to the local communities and to search and rescue units.

*Privilege*

We cannot believe that the Minister of the Environment is suggesting that Canada's second largest weather station be closed. Will the minister recognize the critical role this centre plays in mountain safety and keep the Mountain Weather Station open in Kelowna?

**Mr. Alan Tonks (Parliamentary Secretary to the Minister of the Environment, Lib.):** Mr. Speaker, all members of the House share in the tragedy and the concern for the families, and we have indicated that.

However the Meteorological Service of Canada, on a daily basis, does provide the information in order that the Canadian Avalanche Centre in Revelstoke can take that into consideration and issue warnings. There is no suggestion that any less information will be provided. As we speak, this information will help in avoiding the kind of tragedy that occurred.

\* \* \*

[Translation]

**HUMAN RESOURCES DEVELOPMENT**

**Mr. Marcel Gagnon (Champlain, BQ):** Mr. Speaker, thanks to the obstinacy of the Minister of Human Resources Development, seniors who have been deprived of the Guaranteed Income Supplement have had to go to court to get their entitlement recognized.

Now that the judge has examined this case, does the minister plan to revisit her decision and allow full retroactivity to the seniors who have been treated so shabbily by her department?

[English]

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, as the hon. member has referenced, this is still with the courts and it is inappropriate for me to make comments on such an undertaking.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I wish to draw to the attention of hon. members the presence in the gallery of the Hon. Neil LeBlanc, Minister of Finance for the province of Nova Scotia.

**Some hon. members:** Hear, hear.

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**BUSINESS OF THE HOUSE**

**The Speaker:** It is my duty, pursuant to Standing Order 81(14) to inform the House that the motion to be considered tomorrow during consideration of the business of supply is as follows:

That, the first sitting day following a decision by the government to involve Canada in any military action to disarm Saddam Hussein, a motion "That this House concur in the decision by the government regarding Canada's involvement in military action to disarm Saddam Hussein", shall be deemed moved and seconded at the call of government orders; and that any dilatory or other motions, including motions during routine proceedings, with the exception of requests for unanimous consent, shall not be receivable by the Chair; that in relation to the motion to concur in the decision by the government, at 15 minutes before the expiry time provided for government business on that day, any proceedings before the House shall be interrupted, if required for the purpose of this order, and in turn every question necessary for the disposal of the said motion shall be put forthwith and successively without further debate or amendment.

●(1505)

[Translation]

This motion standing in the name of the hon. member for West Vancouver—Sunshine Coast is a votable motion. Copies of the motion are available at the Table.

[English]

The Chair has notice of a question of privilege from the hon. member for Yorkton—Melville and I will hear from him now.

\* \* \*

**PRIVILEGE****FIREARMS REGISTRY**

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, I rise on a question of privilege in regard to the Minister of Justice deceiving the House and its members, falsifying documents, misleading the House, and impeding my ability to perform my duties as a member of Parliament.

On December 12, 2002, during a statement in the House in regard to the firearms registry boondoggle, the minister said:

I will report back to the House with an accounting of how we manage any shortfalls. I will be open. I will be transparent.

This would be in keeping with ministerial responsibility as outlined in the 22nd edition of Erskine May at page 63:

...ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments...it is of paramount importance that ministers give accurate and truthful information to Parliament...Ministers who knowingly mislead Parliament will be expected to offer their resignation... ministers should be as open as possible with Parliament...

We were off to a good start on December 12. However, I have learned that the justice minister held back a crucial document from the House of Commons when he tabled reports from two inquiries into the controversial firearms registry this week. By so doing the minister is in contempt for withholding a complete version of one of the reports.

The minister tabled two reports in the House on Monday concerning the gun registry: a 27 page report from former top bureaucrat Ray Hession about management failures in the program, and a separate 27 page report from KPMG accountants.

The minister held back the 65 page report on which Mr. Hession's report and recommendations were based. I was not aware of the existence of the 65 page report until I read about it in the newspapers the next morning. The Journals branch did not have a copy of the 65 page report and the Library of Parliament was not able to locate one until 5:30 p.m. yesterday.

The 65 page report contains 10 year spending and revenue forecasts for the registry and licensing system that were not included in the report tabled by the minister in the House.

The report tabled in Parliament acted like a decoy. As a member of Parliament I assumed the report would be complete and I conducted my business as a member of Parliament accordingly. Meanwhile, a more complete version was released upon demand by the media and others. The House was not even told of the existence of the 65 page report. That was and is clear deception.

*Privilege*

On page 141 of the 19th edition of Erskine May it says:

Conspiracy to deceive either House or any committees of either House will also be treated as a breach of privilege.

The forecasts in the unedited version are crucial for the accurate picture of how the government intends to manage the registry, particularly after the Auditor General was critical of the minister's department last December for allowing the program's budget to balloon to \$1 billion over the original 1995 forecast price of \$2 million.

The forecasts in the 65 page report that was withheld from Parliament predict the gun registry will cost another \$500 million over the next 10 years unless the government makes drastic changes to streamline the program and begins collecting stiff registration and licensing fees from firearms owners.

The 65 page report also reveals the cost of the gun registry. It reveals that the cost of the gun registry for 2003-04 and 2004-05 will be higher than the government's 2002-03 estimates of \$95 million and \$80 million respectively. The 65 page report also reveals the actual cost will balloon once again to \$115.4 million and \$103.4 million for each of the next two fiscal years.

• (1510)

The edited version of Mr. Hession's report that was tabled in the House of Commons does not contain those forecasts. As a result, there is no record in the House of the spending forecasts. The House was deceived and my privileges were breached.

In addition, if the Speaker finds the minister did in fact edit a report paid for with public funds and promised to the House, that, in my opinion, would constitute falsifying a document meant to be tabled in the House which is also considered contempt. I refer to Erskine May, Twenty-first Edition, which describes contempt as:

...any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as contempt even though there is no precedent of the offence.

Since the minister on December 12 told the House that he would be open and transparent and was not, I would add the charge of deliberately misleading the House.

In summary, the minister deceived the House and its members. He falsified documents, misled the House, and impeded my ability to perform my duties as a member of Parliament.

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I think this is much ado about nothing. I refer to page 371 of Marleau and Montpetit which states:

In 1968, the Standing Orders were amended to allow a Minister, or his or her Parliamentary Secretary, to table any report or paper so long as it dealt with a matter within the administrative competence of the government.

Notice the word "allow". It continues:

Since 1982, the government has also been required to table a comprehensive response to a committee report—

and so on, and makes references to other such documents. Clearly what we are talking about here is—

**An hon. member:** High-handedness.

**Hon. Don Boudria:** We are not talking about rent control for basement apartments here. We are talking about something important.

Let me continue with this. The issue then is, is this something that is required or is this something that the minister tabled of his own volition? Nothing has been said that the minister had to table anything.

I would also submit, through you, Mr. Speaker, that in fact what we are talking about here is that a document was tabled of the free will of the minister.

That being the case, the minister was free to table whatever he wanted to table or, indeed, not to table anything. To say that he tabled something that was incomplete in that regard simply is moot. It cannot apply.

Be that as it may, the minister tabled two documents in the House. What is being referred to here is a risk analysis document, a backgrounder of sorts, to the work that was done. A briefing was given to members of Parliament. As a matter of fact I was involved in that process with the minister to ensure that a briefing was offered.

Specifically, the briefing was offered to members of Parliament before, not even at the same time as it was offered to the media. It was offered before to ensure that anything that was tabled in the House was given to members of Parliament first and to the media later. That was done.

At the briefing session that was offered to members of Parliament, and later to the media, it was indicated, and I have a copy, and as a matter of fact it is still indicated. It is even on the minister's website through his press release that there is the existence of this particular technical document. It is on page 2 of the press release, which I am willing to table. It says:

Supporting technical documentation available at the Department of Justice.

There is a phone number and so on.

I am also told that members who attended the briefing to members of Parliament, as well as those who attended the media briefing, were cognizant of that fact and that these documents were actually physically present in the room.

Finally, the Speaker will no doubt know, and I am sure the Speaker knows this more than anyone else—we all know it or we all should—that, in any case, the minister could not have tabled a document that was not translated.

That document has not been translated because it was a supporting document prepared for Mr. Hession and others perhaps who were doing this work. There was no necessity to do that and it was not. I am not saying that he wanted to table it anyway. There was no necessity for him to do so. What I am saying is that even had he wanted to table the document it was not even possible and that is a condition that still exists today.

*Privilege*

I believe that these accusations made against the hon. Minister of Justice are unwarranted. He made no attempt to withhold information, deliberately or otherwise, from the House. This is not factual. There was no attempt to give inaccurate information. The press release refers to, and I have it here, the supporting technical documents being available. It is on the website for anyone to see right now and that is still the case.

It was so easily available that others saw it, including the media, proof that in fact the information not only was in the public domain, remains in the public domain, and is even verifiable by way of the document which I am prepared to table and, of course, by way of the information that exists right now on the Internet site.

• (1515)

This is not a genuine and proper accusation against a very respectable minister. He was quite forthright. The minister, again, is doing his absolute very best to provide for the safety of Canadians and to ensure that this excellent program continues and continues in a way that will be best administered for all Canadians.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I would also like to say a few words on this question of privilege. I was in the House when the minister made his statement a couple of days ago. We have just heard from the government House leader that he believes the minister was very forthright with transparency in the documents he tabled.

I was also at the briefing session where we heard from the two consultants. I would like to be very clear. I was not aware another document was available. Although some of the numbers were referred to, clearly in the statement the minister made in the House there was no suggestion that a risk analysis document was also available.

On that basis there has been a lack of clarity about whether there really was transparency and whether the minister was clear about all the documents that he was tabling.

I was at the briefing and it was not clear another document was in existence, even though the consultants did make some reference to the numbers, which I now understand are contained in that document.

I would like to suggest, Mr. Speaker, that if this was put forward in a forthright manner, there was certainly a lack of clarity by the minister about the fact that other documents were in existence and were not clearly tabled in the House when he made his statement and told members of the House that it was on the basis of transparency and him tabling the documents.

• (1520)

**Mr. Loyola Hearn (St. John's West, PC):** Mr. Speaker, I would like to add a few comments on this issue. I agree wholeheartedly with the House leader of the NDP. I was also at the briefing and no reference was made whatsoever to another document.

However it is not strange for us to find out that the minister perhaps has put out a document that might put a slightly different colour on this issue. From day one he has been trying to defuse the whole issue, including calling it the gun control documents.

We are not talking about gun control. We are talking about registration that is out of hand.

Let me quote from the "Guide for Ministers and Secretaries of State". It states:

In the context of their accountability to the House of Commons, Ministers are required to answer parliamentary questions within their areas of statutory authority as clearly and fully as possible. It is of paramount importance for Ministers to give accurate and truthful information to Parliament...

That is what is in question, Mr. Speaker, and the decision will be in your hands whether the minister was truthful and forthcoming in the House.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, I want to emphasize what I believe to be the gravity of the situation in respect of the operation of Parliament.

In her report on the gun registry, the Auditor General advised Canadians that the government withheld crucial financial information from Parliament for years. That is the context in which we are discussing this issue. Every member here knows that the government withheld crucial information. By withholding that crucial information, Parliament was unable to follow the ballooning costs of the registry. That is why the costs went unchecked from a net \$2 million to a billion dollars.

In that context then, the minister, realizing the political gravity of the situation, continued with the tradition of withholding a report on gun registry cost estimates. There is an oblique reference that the House leader for the Liberals has made in a news release but he has failed to table it in Parliament.

Perhaps in another context one might be able to think of a reasonable excuse as to why he would have done that. However in this context there is no reasonable basis upon which the minister could have reasonably assumed that this information would not be of crucial importance for every member of the House.

The minister decided to gamble on withholding information that he knew Parliament needed. The minister tried to hide a report disclosing a \$500 million cost estimate for the gun registry. It is a clumsy attempt. He knew better but he failed to do the right thing.

I wanted to add that contextual background to buttress the argument that has been made by my colleague and other opposition members that the minister has failed in his duty to Parliament.

**The Speaker:** I want to thank the hon. member for Yorkton—Melville for having raised the matter before the House. I also want to thank the hon. Minister of State and Leader of the Government in the House, the member for Vancouver East, the member for St. John's West and the member for Provencher for their assistance.

I will take the matter under advisement and get back to the House in due course.



## ROUTINE PROCEEDINGS

•(1525)

[English]

### GOVERNMENT RESPONSE TO PETITIONS

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

\* \* \*

[Translation]

### INTERPARLIAMENTARY DELEGATIONS

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, pursuant to Standing Order 34, I have the honour to table in the House, in both official languages, the report of the Canadian section of the Assemblée parlementaire de la Francophonie, and the related financial report.

The report concerns the meeting held in Strasbourg, France, from January 13 to 16, 2003.

\* \* \*

[English]

## COMMITTEES OF THE HOUSE

### PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I have the honour to present the 18th report of the Standing Committee on Procedures and House Affairs regarding the reports of the electoral boundary commissions for Newfoundland and Labrador and Saskatchewan. The report informs the House that no objections to either report were received from members.

I also have the honour to present the 19th report of the Standing Committee on Procedure and House Affairs regarding the membership and associate membership of the committees of the House, and I intend to move concurrence in the report later this day.

[Translation]

### FISHERIES AND OCEANS

**Mr. Tom Wappel (Scarborough Southwest, Lib.):** Mr. Speaker, I have the honour to table in the House, in both official languages, the first report of the Standing Committee on Fisheries and Oceans on Canadian Coast Guard—Marine Communications and Traffic Services.

[English]

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to the report. However, notwithstanding the deadline of 150 days stipulated in the Standing Order 109, the committee requests that the comprehensive response to the report be tabled within 90 days of today.

This unanimous report, prepared after firsthand visits by the committee to MCTS sites on both the west and east coasts, identifies numerous serious problems with the services, including chronic underfunding, understaffing, overwork, stress, breakdown of equip-

## Routine Proceedings

ment and gaps in Canada's coastal security. It makes six concrete recommendations to help alleviate these problems.

The committee hereby urges the Minister of Fisheries and Oceans to alert the Minister of Finance to these serious problems to urge the Minister of Finance to provide sufficient funds in his upcoming budget to help rectify the problems the committee has identified.

\* \* \*

## RIGHT TO WORK ACT

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.)** moved for leave to introduce Bill C-350, an act to amend the Canada Labour Code, the Public Service Employment Act and the Public Service Staff Relations Act (trade union membership to be optional).

He said: Mr. Speaker, the purpose of this enactment is to allow workers to decide whether they wish to join or be represented by a trade union and to provide that no union dues are to be deducted effective July 1, 2003, from the wages or salary of employees who are members of unions.

It also prevents discrimination by the Public Service Commission against any person applying for employment on the basis of whether they are or wish to be a member of a union.

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

\* \* \*

## COMMITTEES OF THE HOUSE

### PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I move that the 19th report of the Standing Committee on Procedure and House Affairs presented to the House earlier this day be concurred in.

(Motion agreed to)

•(1530)

**Mr. Jim Pankiw:** Mr. Speaker, I rise on a point of order to seek unanimous consent of the House that Motion No. 337, which seeks to revoke the Order of Canada given to David Ahenakew, be deemed votable and placed in the order of precedence.

**The Speaker:** Does the hon. member have the unanimous consent of the House to propose this motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

\* \* \*

## PETITIONS

### JUSTICE

**Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.):** Mr. Speaker, on November 29, 2001, Steven Truscott submitted a 690 application to the Minister of Justice. On January 24, 2002, the justice minister appointed Justice Kaufman to review the 690 application. On February 4, 2002, a coalition of three MPs was formed to push this issue forward.

*Routine Proceedings*

We now have a total of 26 MPs in this coalition and 32 Senators. We request that the House move this issue along as quickly as possible by getting Justice Kaufman to get all the data needed to make a decision. We now have 7,000 signatures.

**Hon. Jim Peterson (Willowdale, Lib.):** Mr. Speaker, I rise too, to present over 300 petitions on behalf of Steven Truscott and to commend the member for Guelph—Wellington for the leadership role that she has assumed in this very touching case.

These petitioners are from across Canada, including Ottawa, Victoria and throughout beautiful southwestern Ontario. They urge that the government do everything possible to ensure that this issue of fundamental justice is resolved as quickly as possible.

## TIBET

**Mr. Rob Anders (Calgary West, Canadian Alliance):** Mr. Speaker, I have the honour today to present some petitions with regard to the issue of Tibet. March 10 marks the 44th anniversary of the 1959 Tibetan uprising in occupied Tibet where hundreds of thousands of Tibetans were slaughtered by the People's Liberation Army of China.

I am calling attention to the lack of religious freedom in Tibet and the recent execution of Tibetans who are not given fair trials shows that nothing has changed.

Amnesty International, the United States, Germany and others have come out strongly condemning the recent executions. Canada has been relatively silent.

I would also like to stress that 2,200 Buddhist monasteries were destroyed with the Chinese occupation of Tibet.

## JUSTICE

**Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Mr. Speaker, I am presenting a petition signed by 500 citizens of Canada regarding the Steven Truscott situation. As we know, Mr. Truscott was convicted in 1959, at the age of 14, and was sentenced to hang by the neck until dead.

The petitioners call upon the hon. Fred Kaufman to re-examine as quickly as possible the facts surrounding the case as new evidence has come forward. The people supporting Mr. Truscott are looking for redress in this case and to clear Mr. Truscott's name.

The petitioners also call upon the government and the Minister of Justice to do what they can to ensure that this case is re-examined and that justice be restored to Mr. Truscott.

## CHILD PORNOGRAPHY

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, I have two petitions dealing with child pornography which have been signed by over 4,000 Canadians from all across the nation.

The petitioners call upon the government to protect our children by taking all the necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed immediately. They have major concerns about the bill that is before the House.

They also state that the courts have not applied the current child pornography law in a way which it makes it clear that such exploitation of children will always be met with swift punishment.

I table these in the House of Commons and appeal to all of our people in the House of Commons to look after the children first.

• (1535)

## EMPLOYMENT INSURANCE

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, the third petition deals with the employment insurance fund.

The petitioners call upon the government to request that Parliament take that extra surplus and put it into medicare and the Canadian armed forces.

## CANADA POST

**Mrs. Judi Longfield (Whitby—Ajax, Lib.):** Mr. Speaker, I have a petition from rural route mail couriers who assert that they earn less than the minimum wage and have working conditions that are reminiscent of another era, and that they have not been allowed to bargain collectively to improve their wages and conditions like others.

The petitioners call upon Parliament to repeal section 13(5) of the Canada Post Corporation Act.

## BANGLADESH

**Mr. Dominic LeBlanc (Beauséjour—Petitcodiac, Lib.):** Mr. Speaker, I have the honour to present a petition signed by residents of Markham, Ontario, who are very concerned about the deteriorating situation in Bangladesh, particularly the latest series of violent attacks on Hindus.

The petitioners call upon the Government of Canada to undertake a review of foreign aid that the government provides to Bangladesh.

## JUSTICE

**Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.):** Mr. Speaker, pursuant to Standing Order 36, I wish to present a petition on behalf of the constituents of Lambton—Kent—Middlesex who call upon Parliament to ask the Minister of Justice to undertake a thorough re-examination of the Truscott case within a reasonable time period, and to ensure that justice is restored to Mr. Truscott.

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, I have a number of petitions to present, the first reinforcing what my colleagues have said, particularly the member for Guelph—Wellington.

The petitioners calls on the justice minister to re-examine the Steven Truscott case within a reasonable time period with the hope that justice is restored.

## STEM CELL RESEARCH

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, the second petition calls upon Parliament to focus its legislative support on stem cell research to find the cures and therapies to treat diseases, such as Parkinson's disease.

*Routine Proceedings*

## ABORIGINAL AFFAIRS

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, the third petition calls upon Parliament to assume full federal responsibility for a lawsuit involving the Mohawk Institute in southwestern Ontario against the Anglican Diocese of Huron.

## DIVORCE ACT

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, the fourth petition calls upon Parliament to enact fair family law legislation which incorporates a presumption of equal shared parenting.

## CHILD PORNOGRAPHY

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, the last petition calls upon Parliament to strengthen and tighten laws against pornography involving children.

## JUSTICE

**Mr. Rex Barnes (Gander—Grand Falls, PC):** Mr. Speaker, I have four petitions to present to the House today, containing approximately 170 names, in support of having Steven Truscott's case reviewed.

The petitioners are calling upon Parliament to ask the Minister of Justice to undertake a thorough investigation of his case and within a reasonable time period to ensure that justice is served and restored to this gentleman.

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, I rise on behalf of many constituents and petitioners who have submitted their names on paper supporting the petitions that we have been hearing about this afternoon.

The petitioners are calling upon Parliament to ask the Minister of Justice, who has now appointed Mr. Kaufman, to review the case of Mr. Truscott. This terrible miscarriage of justice occurred within my riding boundaries.

I stand with the petitioners in support of this issue this afternoon and I, on their behalf, submit these names to Parliament today.

## STEM CELL RESEARCH

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I am pleased to present a petition on the subject matter of stem cell research. The petition has been signed by a number of Canadians, including from my own riding of Mississauga South.

The petitioners would like to draw to the attention of the House that Canadians do support ethical stem cell research which has already shown encouraging potential to provide cures and therapies for the illnesses and diseases of Canadians.

They also point out that non-embryonic stem cells, which are also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems associated with embryonic stem cells.

The petitioners therefore call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies for the illnesses and diseases of Canadians.

● (1540)

## QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, if Question No. 85 could be an order for return, the return would be tabled immediately.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 85—**Mr. John Williams:**

For the following categories of items purchased either by Public Works and Government Services Canada for departments, agencies and Crown corporations, or by the individual department, agency or Crown corporation in fiscal years 2000-2001 and 2001-2002, namely, (1) teapots, (2) televisions, (3) briefcases, (4) umbrellas, (5) sewing machines, (6) microwaves, (7) flatware, (8) clothes hangers, (9) wine glasses, (10) cameras, both regular and digital, (11) golf balls, (12) golf tees, (13) beverages, alcoholic, (14) jams, jellies and preserves, (15) land mines, (16) games, toys and wheeled goods, (17) phonograph records, (18) perfumes, toilet preparations and powders: (a) by department, agency or Crown corporation, how many in each category were purchased; and (b) what was the total cost spent by either Public Works and Government Services Canada or another department, agency or Crown corporation on each category?

(Return tabled.)

[English]

**Mr. Geoff Regan:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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## MOTIONS FOR PAPERS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask you to be so kind as to call Motion No. 14.

Motion No. P-14

That an Order of this House do issue for copies of the "diving policy" for the dive team at the Coast Guard's Sea Island Base in place on August 13, 2002 at the time of the tragic loss of life on the fishing vessel, the Cap Rouge II, identified in the statement of October 1, 2002 by the Commissioner of the Coast Guard, entitled "Cap Rouge II Lessons Learned".

**Mr. Geoff Regan:** Mr. Speaker, the motion is acceptable to the government and the papers are tabled immediately.

(Motion agreed to)

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask you to be so kind as to call Notice of Motion for the Production of Papers No. P-24 in the name of the hon. member for Athabasca.

Motion No. P-24

That an Order of the House do issue for copies of all documentation, including reports, minutes of meeting, notes, e-mails, advertising, memos and correspondence since January 2002 within the National Energy board that relates to the ratification of the Kyoto Protocol that sets out the benefits, how the targets are to be reached and its cost to the Board.

*Government Orders*

**Mr. Geoff Regan:** Mr. Speaker, perhaps I could read the answer. It states that the National Energy Board has no documents relating to the ratification of the Kyoto protocol that sets out the benefits, how the targets ought to be reached and its costs to their department.

Normally I would be asking the member to withdraw his motion, instead I would ask that this Motion for the Production of Papers be transferred for debate.

**Hon. Claudette Bradshaw (Minister of Labour, Lib.):** Mr. Speaker, I would ask that Notice of Motion for the Production of Papers No. P-24 be transferred for debate.

**The Speaker:** The motion is transferred for debate.

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that you be so kind as to call Notice of Motion for the Production of Papers No. P-25 in the name of the hon. member for Vancouver Island North.

Motion No. P-25

That an Order of the House do issue for copies of all documentation, including reports, minutes of meeting, notes, e-mails, advertising, memos and correspondence since January 2002 within the Department of Foreign Affairs and International Trade that relates to the ratification of the Kyoto Protocol that sets out the benefits, how the targets are to be reached and its cost to the department.

**Mr. Geoff Regan:** Mr. Speaker, in this case the Department of Foreign Affairs and International Trade does not have any records that relate to the ratification of the Kyoto protocol that sets out the benefits, how the targets are to be reached and its costs to the department.

Therefore I would normally be asking the member to withdraw this motion but in this case I will ask that it be transferred for debate.

**Hon. Claudette Bradshaw (Minister of Labour, Lib.):** Mr. Speaker, I ask that Notice of Motion for Production of Papers No. P-25 be transferred for debate.

**The Speaker:** The motion is transferred for debate.

**Mr. Geoff Regan:** Mr. Speaker, I ask that all other Notices of Motion for the Production of Papers be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[English]

### ASSISTED HUMAN REPRODUCTION ACT

The House resumed from January 30 consideration of Bill C-13, an act respecting assisted human reproduction, as reported (with amendments) from the committee, and of the motions in Group No. 5.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Madam Speaker, I was talking about all the ramifications of these different procedures that we are going through in order to enhance the reproductive ability of people who are supposed to be looking for help because

they cannot have children on their own. There are many problems involved with this.

In conclusion I would like to say that it is very important that we do the right thing, that we pay very careful attention to the motions in this particular group and that we support them because they are worthy of that.

• (1545)

**Miss Deborah Grey (Edmonton North, Canadian Alliance):** Madam Speaker, I thank the House for the opportunity to speak in the debate. This is a huge issue that has gone on for many years.

I would like to pay tribute to a former colleague, Preston Manning, who stayed in the House longer than he had actually planned so that he could participate in the debate in committee and in the research that was done. The House owes him a debt of gratitude. I would also like to pay tribute to my present colleague from Yellowhead, our senior health critic, who has done an amazing amount of research.

Not one of us in the House of Commons is an expert in this field. I know some members have more training than others and some have done more research than others, but I do not claim to be an expert at all in this field. However as legislators we need to be wary of what it is we are passing and what the long term ramifications will be for families, for children and for research over the next several years.

The debate would not have happened 10 or 15 years ago because we simply did not have the mechanisms and the research available to us. Interestingly enough, I find myself participating in the debate although I am not an expert on the issue and do not make any bones about that.

When I think of technology from when I was first elected in 1989 until the present, it is amazing how, because of science and technology, we are even having this debate. I watched the royal commission on reproductive technologies for some years.

Therefore, as we look at this we need to think about the positive attributes of Bill C-13. We in the Canadian Alliance share some concerns as I am sure members of the government do as well. We need to come up with the best possible legislation that will provide the best possible situation for researchers and for communicators, because this is such a huge field, as well as for adults who want to start a family but are unable to do so. Bill C-13 would affect not only families but all kinds of people right across the spectrum in our society.

When the bill was introduced I was relieved to see that cloning would be completely banned and prohibited. I was a little concerned about it beforehand because I was not sure where it was going. It is easy for people to say that research and technology is available so society might just as well move in that direction but I think that would have been a grave mistake. I believe in the sanctity of life from the moment of conception through to natural death. For some government to say that cloning would be allowed would be a very dangerous move.

*Government Orders*

Therefore, when the actual legislation came out I was grateful to see that cloning would not be legal. It will be interesting to see what the upshot and the ramifications of that will be on some of the groups that have claimed to have cloned a human being.

I think about what it is that we actually want to accomplish with the bill. In an all candidates forum during an election campaign if one of the voting public asked what it was we were attempting to do with the legislation I would be interested to hear what government members would have to say about that.

By introducing Bill C-13 we are attempting to accommodate what and whom? We are interested in accomplishing what? These are huge questions. When we see legislation like this that will affect real people, I think we need to be able to answer those basic questions. I am not sure I have heard an answer to those questions.

We should be saying that we are not sure what all the bill would accomplish but that some of the positive aspects of the bill are that we would be helping families who are having difficulty bearing children. We would see people with real illnesses, many of whom have been mentioned already, such as people with MS and Parkinson's. I recently met with some people with juvenile diabetes. The bill could contain practical measures that would solve some of these problems.

• (1550)

Of course the debate rages on about whether stem cell research with adult stem cells would be better, but with the remarkable technology and research we have these days I think we can see that there are some amazing accomplishments happening regarding both. I suspect that the debate will carry on and rage regarding stem cell versus adult stem cell research, but we need to celebrate that it is going on at all because, as I said earlier, we would not even have had this debate when I was first elected here 14 years ago.

When I think about the bill and some of the things it is going to accomplish, I must say I am concerned that the preamble of the bill does not provide an acknowledgement of human dignity or respect for human life. It seems to me that if we are going to build a foundation for all these other things, we need to have a rock solid, firm foundation about what it is that life is all about anyway. I think this would be very beneficial in the preamble of the bill, for everyone, regardless of people's feelings about it. We are not going to go off into the abortion debate about when life actually starts, but it surely starts at some time before birth. Just a general statement about the dignity of human life would be a very smart thing to have in the preamble.

I also mentioned this earlier. It is not a surprise to anyone, or a secret, and I am not ashamed to say it. I do believe in the sanctity of life from the moment of conception through natural death. That stems from my deep regard for life as well as my most deeply held religious beliefs. I think we need to celebrate how important this is, not just for this research to go on, but for families, for instance, for a couple who wants children but is simply not able to bear children. There are not just these kinds of issues in reproductive technologies. There is even the simple option of adoption. My younger brother Shaun is adopted and I cannot imagine what our lives and our family would be like without him.

These are possibilities for people. If we are looking at it from the family aspect, it is important for people to be able to celebrate human life. I am very grateful to somebody somewhere for giving birth to my brother Shaun. I do not know who she was and I am not sure about her mate, but I do know that he is alive and that because that human life was respected before he was born and when he was born, I have a kid brother who is now 46 years old and I am very grateful that he is a part of our family.

These are the real life emotional issues with which we have to deal when we are looking at this particular legislation. The government certainly would do well to acknowledge the dignity of human life in its preamble.

When we look at some of the things that we are grappling with in terms of genome research, in terms of how we actually write up a bill like this, I think we can see that many people have put excellent things on the table. There are many amendments coming from the opposition side. There are many amendments coming from the government side as well. Again I would caution all sides of the House to look at them on their merits and probably not pay too much attention to which political party they come from. People should take them on merit alone and define what it is we are trying to come up with, because when we bring in legislation it is going to be pretty long term. Not only is this historic, but it is leading the way for future generations as well as leading the way in what will happen with technology. We have seen such monumental steps taken in technology in the last few years, and it probably is going to continue at a pretty exponential rate.

When we put these guidelines and this legislation in place, I know how important it will be to make sure that we are on the right track. Celebrating families and human life is surely what has to be the firm and solid basic foundation of this piece of legislation. It seems to me that if we get that right, then everything else flowing out of it also will be solid and firm for future generations as we continue to work with this legislation.

Let us make it the very best we can right now. Let us get it right now so that when people come along after us they will at least say that we did something right when we brought in the legislation.

• (1555)

[*Translation*]

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Madam Speaker, I rise on a point of order. When we were talking about Group No. 5 of Bill C-13, the Speaker interrupted me because we had to proceed to oral question period. If I am not mistaken, I had six or seven minutes remaining to finish my speech.

I was unable to do so within the timeline projected in the standing orders, but I think that, given the spirit of collegiality that reigns in this House, and if you were to seek it, we could obtain consent for me to continue my still much anticipated speech.

**The Acting Speaker (Ms. Bakopanos):** Does the hon. member have consent of the House to finish his speech?

**Some hon. members:** Yes.

*Government Orders*

**Mr. Réal Ménard:** Madam Speaker, I thank my hon. colleagues and the government. Clearly, anything is possible with good faith, and the parliamentary secretary is not the least charming member of this House.

I think that it is worth repeating that Group No. 5 of Bill C-13 is very important for parliamentarians. First, Bill C-13 is important in and of itself. We can, perhaps, remind people listening that the genesis of Bill C-13 has been fraught with difficulties; since the Baird commission tabled its report, 10 years ago, it has taken quite a while to get to the legislative stage.

Understandably, it was not easy to legislate reproductive technologies. These technologies must be carefully considered, because one in five couples in Canada experiences some form of infertility. It is clear that legislators, in proposing solutions, must come up with the right ones.

One can ask why the federal government, which is not, in principle, responsible for programs related to health and social services, intervened with regard to reproductive technologies. I understand that the federal government did so under its authority set out in subsection 91(27) of the Criminal Code prohibiting certain practices.

Furthermore, if there is an aspect of this bill on which the House is unanimous, it is that of having a certain number of practices prohibited.

On this point, the Bloc Québécois was obviously quite comfortable. Witnesses—the parliamentary secretary will remember—came to tell the committee that we should have had fines only and summary convictions.

I think that this would have been a bit irresponsible, given the potential offences and the stakes. Imagine if, in a federal clinic or private research lab, people conducted experiments in the absence of a research protocol that had been approved by the Canadian Institutes of Health Research, for example, and there were experiments in reproductive or therapeutic cloning. What kind of situation would we find ourselves in then?

All this to say that it was up to legislators to establish a link with criminal law. We have done so by prohibiting some 13 practices, including, of course, cloning for reproductive and therapeutic purposes, the creation of chimeras, and conserving an in vitro embryo outside the body of a woman for more than 14 days. The clause contains approximately 13 practices that were agreed upon, as the member for Charlevoix knows.

That said, we were somewhat saddened, even hurt to see that the federal government took advantage of subsection 91(27) of the Criminal Code to establish an assisted human reproduction agency.

I would like to draw the attention of the Minister of Labour, who seems very taken by this debate, to the fact that the regulatory agency may not have been the solution. In fact, the regulatory agency will create extremely important regulations that will interfere with existing practices in the areas of health and social services.

Allow me to provide an example for my good friend, the Minister of Labour: the preservation of sperm. Everyone knows what sperm is. There is not one person in the House who has not had some

contact with sperm. Even our friends in the Canadian Alliance know about sperm, even the purest of them know what sperm is.

The issue of sperm preservation is one that is hotly debated. And it is already covered by existing regulations. Sperm cannot be donated any way, anywhere, and in any condition, without any regard for its preservation. Are we to believe that the Government of Quebec, the excellent government led by the Parti Québécois, would have left an issue as sensitive as this one unregulated?

• (1600)

Of course not. There are regulations on preserving sperm and embryos. Even the practices of health care professionals are regulated. That is why, not so long ago, the National Assembly amended section 112 of the Act respecting health services and social services.

We are in an unfortunate position with regard to the government's wish to establish a regulatory agency. This agency will receive \$10 million per year and will subject health professionals, at least those in Quebec—I am less familiar with the situation in Ontario and the other provinces—to two sets of regulations.

Another extremely important issue has to do with payment for surrogacy. The Civil Code has very clear provisions on this. Motherhood is an altruistic act. When a woman decides to get pregnant and to bring children into the world, it is certainly not for commercial reasons. No one wants to live in a society where children are bought and sold.

The Chair is indicating that my time is up. Time goes quickly when one is among friends. I will finish during the debate on motions in Group No. 6.

[*English*]

**Mrs. Elsie Wayne (Saint John, PC):** Madam Speaker, I rise today to speak about embryonic stem cells and how we should protect embryos because we are talking about protecting the children of this country.

I must say that the argument for the use of embryonic stem cells for research, ESCR, is based on three serious misunderstandings. First, the idea that the fundamental principles of ethics are appropriately based on a consensus of interested persons who express their opinions in regard to moral choices rather than on the divine law is understood by human reason and is given in Revelation.

Second, there is a failure to realize that a human being, innocent and possessing the inherent right to be protected and not killed or harmed in any way, comes into existence at the moment of fertilization of a human ovary by a human sperm. This fact had been denied by those who promote ESCR when they define the beginning of life at implantation rather than fertilization, which is a minimum of seven days. That human life begins at fertilization is attested to in current standard world textbooks and medical dictionaries. It is there; it is a proven fact.

*Government Orders*

Third, the misrepresentation of scientific and medical facts in regard to the practicality, therapeutic promise, and results in the dangers to both health and life of ESCR in comparison with adult stem cell research. Those are three misunderstandings.

There is a difference between embryonic stem cell research and adult stem cell research. We are not opposed to the adult stem cell research, but we are certainly opposed to taking a little baby out of the womb, using it and killing it. There is no way this should be happening.

When I look around the House of Commons and see all these young people coming up on the Hill, I ask myself, would we have harmed any one of them? Would any one of us have harmed them? No, we would not, but if we allow Bill C-13 to pass we would be harming the future of our country and the young people out there, God love them, who need to be protected and need some voices.

The case against embryonic stem cell research is that a human embryo is a human being. The fact that the one cell human is a member of the human species, a human being, has been established since the 1880s and is accepted by embryological science today. The retrieval of embryonic stem cells from the human embryo kills the embryo. Since the embryo is an innocent human being and has the inherent right not to be killed or harmed in any way, it is not morally acceptable to obtain stem cells from embryos.

We in the House of Commons are here to protect the young. We are here to protect all the people in Canada from coast to coast. However, we would not be protecting anyone if we were to allow this to happen. This is a step in the wrong direction.

There are problems and they have been spelled out by Dr. Peter Andrews of the University of Sheffield, England, who said, "Simply keeping human embryonic stem cells alive can be a challenge". Doug Melton, a Harvard University researcher, has said, "In my view (human embryonic stem cells) would degrade with time".

Human embryonic stem cells have never been used successfully at any time in clinical trials. They have a lacklustre success in combating animal models of disease and carry significant risk, including immune rejection and tumour formation.

This is a matter that concerns every member of the House. I do not know of any member in the House who would want to kill a child. I do not know of anyone. However, this is exactly what we are talking about when we talk about embryonic stem cell research.

●(1605)

We are in favour of adult stem cell research. Adult stem cells have been used in many clinical trials with great success, when it comes to multiple sclerosis, severe combined immunodeficiency, Crohn's disease, cancer and others. As far as embryonic stem cell research and human cloning, we are totally, completely opposed to it.

There are two types of cloning: reproductive and therapeutic. The cloning process is the same in both types, only the intended use of the manufactured embryo is different. In the one case, reproductive cloning, the embryo is intended to be implanted and to live. In the other, therapeutic cloning, the embryo is designed to be killed. The process of producing the embryo, somatic cell nuclear transfer, is the same no matter what use is made of the embryo.

There are great problems with the bill. We have so many people coming forward with concerns and I know many of our colleagues have said that as well.

Motion No. 82 seeks to amend clause 40 to require research applicants who wish to use surplus embryos to do research on embryonic stem cells to provide reasons why they cannot use stem cells from other sources. Non-embryonic stem cells are readily available and used extensively in research with substantial success. If a non-embryonic stem cell can achieve the same research objectives then embryonic stem cells are not necessary and the application should be denied.

Motion No. 83 would add a new subclause in clause 40 to the effect that if there were insufficient surplus embryos to sustain meaningful research then no further licences should be issued for embryonic stem cell research. Since only about one in one hundred embryos can produce stem cells which meet the quality requirements of researchers it would be totally inappropriate to destroy so many when they could be made available for adoption by infertile couples.

There are so many people today who want to adopt children, who want to look after young people, and give them the foundation for their future and the future of Canada. However that opportunity would not be there if we were to allow embryonic stem cell research to take place.

It bothers me when I think about all the little children who I used to work with through the school system. I look at them today and wonder, would we have hurt any one of those children? Would we have killed those children? No, we would not and I cannot think of any members in the House, if they understand what embryonic stem cell research means, that would vote in favour of the motion without the amendments that are being put forward by our people.

●(1610)

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Madam Speaker, it may be helpful for people watching the debate to mention again that the bill we are debating is entitled "an act respecting assisted human reproduction". The bill seeks to regulate the use of embryos and assisted human reproduction in a way that best meets the needs and wishes of our society.

Canada is probably one of the last first world countries to put regulations into place respecting these important matters. We applaud the government's efforts in this regard.

We support a number of provisions of the bill. We support the bans on cloning, chimeras, animal-human hybrids, sex selection, germ line alteration, buying and selling of embryos, and paid surrogacy.

*Government Orders*

We also support the concept of an agency to regulate this whole sector of assisted human reproduction, although we believe that the government's approach to setting up this agency is flawed in some respects.

Today we are debating the amendments in Group No. 5. These are amendments to the bill that are roughly grouped together because they deal with the same subject matter. All of the amendments in this group have been put forward by the Liberal member for Mississauga South. I support and applaud each and every one of the amendments that the member has put forward.

I think it is important in the House that we look at what is best for Canada, not which party puts the ideas forward. I am sometimes happy to support amendments and ideas that come from the Liberal side, even though I am on the official opposition side.

There are three issues in the bill that we believe have not been well handled by the government. The first issue is the matter of the regulatory agency. When the agency is regulating such an important area we believe it should be fully accountable and transparent. The health committee also agreed that the agency should be fully accountable and transparent when it reported on the bill after extensive study and hearing from many witnesses.

However, the minister changed the provisions of the bill as they were originally set out. The minister now says that instead of the regulatory agency reporting directly to Parliament and to Canadians, that report would be filtered through the minister.

It is somewhat ironic that I speak on a day when a minister of the crown stands indicted by members of the opposition for failing to fully and fairly inform them of important information that he had in his hands. On this same day we now have another minister saying to trust him to give Canadians important information, rather than letting an agency report directly. We simply cannot accept that. We believe it is very important that the agency itself directly report to Parliament and to Canadians.

The second issue is with respect to the treatment of embryos. This is such an important debate and, of course, as has been heard, there are a range of opinions about this.

The Royal Commission on New Reproductive Technologies carried out an exhaustive study. One of its members, Suzanne Scorsone, said:

The human embryo is a human individual with a complete personal genome, and should be a subject of research only for its own benefit...You and I were all embryos once. This is not an abortion question. When an embryo is not physically inside a woman, there is no possible conflict between that embryo and the life situation of anyone else. There are many across the spectrum on the abortion question who see the embryo as a human reality, and hold that to destroy it or utilize it as industrial raw materials is damaging and dehumanizing, not only to that embryo but to all human society.

•(1615)

Once again we debate today, in the context of an even hotter debate in some ways, whether we should participate in a coalition of nations determined to stop, what many consider to be a strong danger to ourselves, our country, our communities and our families, an individual who has been shown to be a rogue dictator and who is believed to have, and there is much evidence of this, weapons of mass destruction.

People who oppose intervention against Saddam Hussein say that we cannot do this because it would put innocent life at risk. However often these same individuals do not strongly support the concept that human life is extremely important, that respect for human life and upholding the dignity of human life from the time of creation of human life in the embryo is important.

It is critical that we uphold in all respects a careful and anxious concern for preserving and protecting the dignity and the sanctity of human life. Therefore when we use embryos, we must do so in a way that promotes societal values.

With respect to the use of embryos for medical research, it is interesting that such research can easily be carried out by the use of adult stem cells. In fact these are a safe and proven alternative and in many ways are preferable to the use of embryos. If I have a disease, my adult stem cells, which are available in my skin or from other parts of my body, would not be subject to immune rejection if they were used in a way which research demonstrates would help deal with a medical condition I might have. Adult stem cells are being used today in the treatment of several important diseases such as Parkinson's, leukemia, multiple sclerosis and others. Embryonic stem cells are not being used in any successful treatment.

Even though we want to ensure that we do everything we can to address serious medical conditions, there are many arguments that embryos and the human life in them can be protected and we can also do what is necessary to make progress in the treatment of some serious diseases.

That is the basis upon which we should support legislation. Embryos should not be treated as disposable industrial material. Many people agree with that. I believe this Parliament should uphold that principle.

Parliament also should uphold the principle that children who come about because of assisted human reproduction should have the widest possible access to information about the people who were behind their creation so they have a sense of belonging, of roots and of some perspective about their place in the world.

Those are the three issues we believe are important. Once again, I thank the member for Mississauga South who brought forward these amendments, all of which I support, and I hope the legislation will be improved by such measures.

•(1620)

**Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance):** Madam Speaker, I too would like to start by giving my support to the amendments proposed by my colleague from Mississauga.

I want to talk generally about Bill C-13, the assisted human reproduction act and begin by saying that there is always an important ethical question inherent in any discussion around embryonic research.

Embryonic stem cell research inevitably results in the question that was raised earlier by our colleague from St. John's, that being the death of the embryo, early human life. For many Canadians, this violates the ethical commitment to respect human dignity and it is a hard question for many people in relation to this bill.



*Government Orders*

It is an incontestable scientific fact that an embryo is an early human life. It has the complete DNA of an adult. The DNA is present at the embryo stage. Whether that life is owed protection is really at issue. Other members made the argument that life should be protected, and I would agree with that. That is one of my great concerns with the bill. While the bill attempts to regulate human reproduction, it raises many questions of this ethical nature by members on all sides of the House.

For that reason, many of my colleagues have suggested in earlier speeches that we focus on adult stem cell research instead. In doing so we would take away the divisive nature of the embryonic stem cell research debate altogether.

Adult stem cells are a safe and proven alternative to embryonic stem cells. Sources of adult stem cells are in the umbilical cord, skin tissue, bone tissue and many others. We recently have seen some companies develop the ability to preserve the umbilical cord should it be needed in the future, not only for that baby but also for any other family member who might be in need of stem cells. That is a resourceful answer to this question as well, one that should be explored and expanded upon.

Adult stem cells are easily accessible and they are not subject to immune rejection if they are the individual's own stem cells. Embryonic stem cell transplants are subject to immune rejection because they are foreign tissues while one's own adult stem cells, which are used in different therapies, are not subjected to the same rejection question.

As my colleague for Calgary—Nose Hill just noted, adult stem cells are being used today in the treatment of Parkinson's, leukemia, MS and other conditions.

On a personal note, our own son is battling leukemia right now and has been for a number of years. I know my colleagues in the House have been very supportive of that. I thank them for their words of encouragement and thoughtful comments and prayers. I also thank my constituents and my board at home. Our son will be undergoing a transplant very soon so this is a question that is of utmost importance to me personally. He will be receiving transplant from another donor. He will be receiving adult stem cells.

Medical technology has taken us a long way from where we once were and leads us to all kinds of promise. However we need to frame these important questions, ones that seek to put in context those ethical questions I raised earlier. If we do focus on adult stem cell research, we alleviate a lot of those questions and concerns individuals have about issues of life which have been raised and will continue to be raised.

• (1625)

I know my colleague from Vancouver Island mentioned earlier, and I am loosely paraphrasing, the ability to patent different technologies with embryonic stem cell and that ability to patent them was not easy to do. Thereby the whole issue of profit in developing medical technologies with stem cells becomes a driving force behind whether we pursue adult stem cell research or embryonic stem cell research. That should not be the question, a profit driven question, that leads our medical researchers down one path over another. The adult stem cell path is one that satisfies the ethical question and

provides hope for many people in treating many diseases, and in the whole area of human reproduction as well.

I would urge the government, in strong terms, to focus on that path in pursuing Bill C-13.

As my colleague noted, we are one of the last countries to address this question. It certainly should have been addressed much sooner. Individuals have been calling for this for many years. We are behind because of the low priority the government has put on this topic.

We should examine the bill in detail. We have pointed out the considerable problems we have with the bill, some which have been addressed through amendments. Upcoming amendments will be talked about in Group No. 6 in the next part of the debate.

Before supporting the bill, we should ask the right the questions. In asking the right questions, we must ensure that we get a bill that puts us on the right path and does not unlock doors about which we have not thought. When a bill is before us in the House, it is incumbent upon us to ask hard questions and to get it right, particularly in such sensitive area as embryonic stem cell research and assisted human reproduction. If we do not get it right now, we know the process will be long and convoluted to remedy it. We need to get it right the first time.

We are generally not supportive of the bill because there are many questions that remain unanswered. If the bill is passed in its current form, down the road it will open all kinds of unlocked doors in terms of ethical questions and in terms of putting us on the right footing.

I would encourage all members to look closely at the bill. I urge them to tell the government that it needs to put in place a framework that focuses on adult stem cell research, not embryonic stem cell research.

**Mr. Leon Benoit (Lakeland, Canadian Alliance):** Madam Speaker, I am very pleased to speak on Group No. 5 motions which, if passed, will amend Bill C-13.

**Mr. Jim Gouk:** Madam Speaker, I rise on a point of order. I have heard my hon. colleague speak many times before and I know that what he has to say is extremely interesting. I think it appropriate that there be a proper audience of government members present for this speech so they can hear his good words. Therefore, I would ask that you call quorum.

**The Acting Speaker (Ms. Bakopanos):** The fact is all parties are absent and there is no quorum. Call in the members.

*And the bells having rung:*

• (1630)

**The Acting Speaker (Ms. Bakopanos):** We have quorum. Resuming debate, the hon. member for Lakeland.

**Mr. Leon Benoit:** Madam Speaker, as I said when I started my presentation just a few minutes ago, I am happy to once again be speaking to Bill C-13 and specifically to the Group No. 5 amendments.

*Government Orders*

It is interesting that all of the amendments in this group are from a member of the governing party. He was very dissatisfied with much of what was and was not in the legislation when it came before the House. He did not feel that it accurately reflected what the committee said in some cases, and he felt that it just was not suitable legislation to deal with such a sensitive, serious and important issue. Because of that, the member brought forth these amendments and I believe all of them will be supported by most, possibly all, Alliance members. These amendments are important to producing better legislation than that which the government has tabled.

It is important for people to take a careful look at what Bill C-13 really is about. It is of course, in very basic terms, about human reproductive technology. It is, as I have said before in presentations, an issue which carries with it some very controversial matters, at least in the way it has been presented to the House.

One of those matters, which I spoke to last time, is whether stem cell research should be allowed immediately on embryonic stem cells as well as adult stem cells. What I said in my presentation last time is that so far, against all predictions, the best results in terms of stem cell research have come in the area of adult stem cell research.

The research has not been focused on adult stem cell research for long. It has been focused for much longer on embryonic stem cell research and, quite frankly, the corporations involved in doing the research fully expected the best results to come from embryonic stem cells. They felt that strongly enough that they put their money into embryonic stem cell research, but reality has shown something entirely different. First of all, it has shown that research on embryonic stem cells has not been productive. There is not one cure or effective treatment to date coming from research done on embryonic stem cells. I am sure that some of the corporations that were involved are extremely disappointed. Of course they are going to continue to push the issue because if they put millions and even billions of dollars into embryonic stem cell research, then they certainly are going to want results to come from that research.

We have seen a much newer type of research on adult stem cells being far more effective. Just over the few months that it has been concentrated on, we already have had some incredible results. We already have found effective treatments in some areas and some things that are very close to cures in other areas, and I think it is really exciting.

I want everyone to know that our party fully supports stem cell research. We think there is an almost unimaginable potential for dealing with some of the most serious diseases and problems that Canadians face and that in fact people around the world face. It is exciting. Anybody who is really interested in science, who has a scientific approach to things and likes to let their mind go sometimes and imagine what can be done, has to be excited about stem cell research, not only about the potential but about how already after such a short time of research the results from adult stem cell research are just remarkable.

It is exciting and I think Canadians should expect that legislation which regulates stem cell research would in no way inhibit that research which is most likely to bring those exciting results.

● (1635)

Our party also says, in fact, that we should not allow research on embryonic stem cells to continue until we can be quite certain that adult stem cell research will not bring about the cures being sought. One of the main reasons we have said to stay away from the controversial issue of using embryonic stem cells is the whole issue of pro-life and pro-choice. This is one of the most divisive issues in the country. What we say is let us not make this legislation something that brings that type of division to the country or that exacerbates that division. Why do we need that? I do not think we do.

Let us give it three years and look at the results from adult stem cell research. So far there have not been exciting results from embryonic stem cell research. In fact, we have seen some huge problems with embryonic stem cell research. It has been found that embryonic stem cells are too unpredictable and during experimentation brain tumours have been produced in mice. There is just too much instability in this. I do not think we would want to try such uncertain cures on humans until such a time that they are well proven. In the meantime, with all the exciting results coming from adult stem cell research we should go full bore with that. I believe that in three years we will probably find that this is where the research should be focused.

My party has talked about some of the problems we have with the bill but there are things we support in the bill as well. It is important to make it very clear that we fully support the bans on reproductive or therapeutic cloning, chimeras, animal-human hybrids, sex selection, germ line alteration, buying and selling of embryos, and paid surrogacy.

We also support having an agency to regulate the sector, although we want changes to that agency. From what I have seen and heard, everyone in the House supports the agency and it is only a matter of how we think it should operate. That can be extremely important. We have to get it right when setting up this agency. There are some amendments to the legislation that deal with this.

We do have concerns about human embryonic research and I have talked about the controversy this causes as well as its instability. Last time, I talked about some of the remarkable and exciting cures that have been found through adult stem cell research.

We also have concerns about the regulatory agency. I will mention a few of the highlights. The bill would create the assisted human reproduction agency of Canada which would issue licences for controlled activities, collect health reporting information to advise the minister, and designate inspectors for the enforcement of the act, which I think we all feel is important. The board of directors would be appointed by the governor in council with a membership that reflects "a range of backgrounds and disciplines relevant to the Agency's objectives".

*Government Orders*

One of the highlights of the regulatory agency, which was amended at committee, is that it would require board members to have no financial interests in any business “regulated or controlled” by the act. The health minister is now trying to undo these conflict of interest provisions. We certainly do have a problem with that, as I think most members of committee do who dealt with this issue in depth. When we are looking at this regulatory agency, we should not see the health minister, who is the minister responsible, entirely overruling without any appropriate explanation the good work the committee did. Yet that is what we have seen.

• (1640)

When it comes to this agency we have to undo the harm being done by the minister. We have to respect the committee in that regard. We have to deal with some of these important issues and I will be speaking about some of them later.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Madam Speaker, thank you for allowing me to speak on Bill C-13. This is one bill that needs much thought and consideration because of its ethical issues. Our answers to these ethical questions will help to define our society.

Bill C-13 is related to reproductive technology. The bill is a very broad bill and contains many areas of concern to Canadians, including cloning of human beings, therapeutic cloning and the importing and exporting of human gametes. There are numerous issues that need to be considered before the passing of the bill.

In Bill C-13 there are some excellent statements already in place, but there are others that need to be thought out and revised. I fully support the bans on reproductive and therapeutic cloning, chimeras, animal-human hybrids, sex selection, germ line alteration, the buying and selling of embryos, and paid surrogacy.

Just because we are now able to do something in reproductive technology does not necessarily mean we should. Human life is like that of no other creature on this earth. There are additional dimensions to the human life because of the human ability to think, to feel and to have all kinds of emotions. Human life is valuable and should not be treated lightly.

I also support the proposal that there should be an agency to regulate this sector. Although changes still need to be made, the people who would sit on the board of directors of the agency would be selected through orders in council, which needs to be subjected to some form of scrutiny. Currently there are not enough checks and balances in place for regulating the agency. With this issue and many others, we need to be aware of the conflict of interest. This situation needs to be avoided at all costs by not allowing any oversight of the board of directors when it comes to the agency.

I support the recognition that the health and well-being of children born through assisted human reproduction, or AHR, should be given priority. However, the priority of AHR and other sections of the bill fail to meet my standards. The bill specifies that the consent of the donor of a human embryo be required in order to use a human embryo for experiments, but the bill leaves it to the regulations to define “donor”. On top of this, there are two donors to every human embryo, a woman and a man. Both parents should be required to give written consent for the use of a human embryo, not just one.

I believe that the children born through donor insemination or from donor eggs should be given the right to know the identity of their biological parents. These sperm and ovum donors make a conscious, intentional choice to assist in the creation of life. This is contrary to adoption, where a decision to adopt a child is usually made after an unintentional pregnancy has begun. These children would be deprived of their history and the roots of either their biological mother or father. Such a vital chapter of the child's life would be denied.

There are other questions that also arise. How would people know that they were not marrying their brother or sister? If their biological heritage were unknown, then how would they know? This could all be avoided if we were to just tell the truth. An identified donor is a responsible donor. If all donors had to be willing to be identified, then people would donate for the right reasons, not for money.

Dealing now with the issue of embryonic stem cell research, embryonic research is an ethical topic that divides Canadians. Embryonic stem cell research always results in the death of an embryo, an early form of human life. To many Canadians, this is murder. This violates the ethical commitment to respect human dignity, integrity and life. There is also a very high chance that the body would reject the embryo because it is foreign tissue and subject to immune rejection. As well, even if medical therapies had been developed using human embryos, people might refuse them if they do not believe that this is ethical.

Why would embryonic stem cell research be able to continue in Canada when we know that adult stem cells have already been proven to be far superior?

• (1645)

Adult stem cells are very easily accessible and are a proven alternative to embryonic stem cells. The huge advantage is that they are not subject to tissue rejection and pose minimal ethical concerns.

With adult stem cells, there is usually tissue taken from a person's own body. Adult stem cells can be taken from the umbilical cord blood, skin tissue, bone tissue and other areas. This would eliminate the years of anti-rejection drug therapy that embryonic stem cell patients would require.

Adult stem cell researchers have already found many great possibilities with adult stem cells. They say that some day adult stem cells could replace bone marrow transplants in humans and also that stem cells circulating in the blood stream could grow new tissue in the liver, gut and skin. At Duke University Medical Centre, researchers have already turned stem cells from knee fat into cartilage, bones and fat cells. At the University of Minnesota it has been shown that adult bone marrow stem cells can become blood vessels.

*Government Orders*

Today, adult stem cells are being used in the treatment of Parkinson's, leukemia, multiple sclerosis and other conditions. However, embryonic stem cells have not been used in the successful treatment of a single person. Researchers need to be focusing on a more promising and proven alternative like adult stem cells rather than ethical non-proven embryonic stem cells.

Turning now to the issue of the regulatory agency, there is a problem with the assisted human reproduction agency of Canada not reporting to Parliament but only to the minister. It should therefore be made an independent agency.

In Bill C-13, clause 25 allows for the minister to give any policy direction to the agency and it must in turn follow it. The clause also ensures that everything must remain secretive. This clause could be completely eliminated if the agency were an independent agency answerable to Parliament.

I strongly feel that the health minister has it all wrong with wanting to undo committee amendments to subclauses 26(8) and 26(9). The clause requires that the board members of the assisted human reproduction agency must come under the conflict of interest rules. On the other hand, the health committee got it right in saying that the board members should not have commercial interests in the field of assisted human reproduction or related research.

I hope that members will consider seriously that there are amendments to the bill that need to be changed while others should be supported. This issue has many ethical concerns and needs to be treated with great care. It is also a matter that needs to be taken very seriously.

• (1650)

**Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance):** Madam Speaker, we try to get everyone to listen to us and convince them of our point of view and bring them around to that point of view. In doing so I want to direct people's attention to the very title of the bill. By omitting the one word "assisted" which is provided as a modifier, the title of the bill is "an act respecting human reproduction". Let us think about that title for a moment, "an act respecting human reproduction". That is what we are arguing about in debate. The point many of us are trying to make is that there has to be respect for the entire process of human reproduction.

I have an interesting story to tell that relates directly to this. This is the story of the banana tree. The banana tree as we know it produces a wonderful fruit. Perhaps people have noticed while eating a banana, especially if it has been sliced so that there is a very clean cut across the fruit, that it is made up of a lot of white fruit but toward the centre there are some dark brown dots that have the same consistency as the rest of the banana. When eaten, those dark brown dots go down very well and are digested very well. In the beginning of the banana they were the seeds. That was how the banana tree reproduced way back in times gone by.

The banana tree can no longer reproduce by seed. Originally when the banana reproduced by seed, it was virtually inedible. The seeds were large and hard and could not be chewed or digested. Basically, those seeds destroyed what has come to be a magnificent fruit that many people depend on as part of their diet.

How did we get the banana tree of today if it cannot reproduce by way of seed? The answer is that we clone it. That is part of what the bill is about. People are talking about the whole concept of cloning.

The banana tree as we know it is a clone. Every banana tree, whether it be in the southern United States, in South America, Hawaii or anywhere else in the world, is directly related to the original banana tree that was developed for the purpose of creating edible fruit. This is what happens when people start to play God even with something as simple as a tree.

Where lies the problem in the case of the banana tree? The banana tree that we have today is almost at the end of its existence because it is a clone of the original tree, a direct, exact copy of the original tree.

When things develop normally, when some new problem affects it, be it a virus or in the case of the banana tree a fungus, over the years it develops the ability to cope and to deal with it. However, because the banana tree that we have today is in fact thousands of years old, if a new fungus comes along and attacks the banana tree, the banana tree cannot defend itself from that fungus.

What is happening as a direct result is that on all the banana plantations the trees are not dying but their lifespan is being shortened to three to five years. This makes it totally impractical for them to be a commercial harvest. We may very well within our own lifetimes see the end of the banana tree. It may come to an end and may be gone.

Now we start talking about the concept of cloning humans and other adaptations. When we start playing with science without knowing the consequence of the outcome, when we dare to become the gods, we have not the slightest idea of what pitfalls and travesties we may be opening ourselves to for future generations. We may in this day and age by even contemplating the possibility of cloning be dooming the future existence of the human population.

• (1655)

I would like to go on to some specifics in the bill. They are things that have been mentioned before but they are very important and cannot be stressed too much.

In terms of the whole concept of embryonic stem cell research and what can generally be described as non-embryonic stem cell research, one of the problems we have, whether it be in this or in a variety of other areas, when we focus on one thing to the exclusion or even the death of others, we sometimes have to wonder if we are on the right track. If the voting were to happen, a lot of the research and obviously the money for research would be put toward embryonic stem cells. If that choice were made, we would be taking from the minds and efforts of some brilliant scientists, the funds, equipment and facilities they would use to investigate further development of non-embryonic stem cells for the betterment of mankind. We would be taking that potential away from them and having them focus instead on embryonic stem cell research.

*Government Orders*

Putting aside for a moment the whole concept of the moral question, what about where there has been proven success and, as has been amply demonstrated throughout this debate, all kinds of success in the use of non-embryonic cells? We have listed such things. Certainly bringing the moral questions in, it removes most if not all of the moral questions. It removes a source problem. It removes the rejection problem.

I know people, in some cases good friends of mine, who have had transplants and are on a regimen of anti-rejection drugs for the rest of their lives. We might take a vitamin pill in the morning and think nothing of it but for them it is not one pill, but a heavy regimen of pills that affect them for the rest of their lives. They have to make sure that they are carrying enough pills with them. What if they lose them? What if they are stuck somewhere and cannot get the pills? All these things go through their heads.

Now we are looking at the possibility of asking ourselves whether we should be spending our research and resources looking into embryonic stem cell research or should we be doing it on non-embryonic research where we already have proven success and where we do not have the anti-rejection regimen.

Motion No. 88 talks about the potential for abuse and recognizes that there are abuses. There will be abuses in any program.

Even in the House, as much as we would like to think we are all perfect and we are all honourable persons, abuses do occur. That is why we have provisions for such things as contempt of Parliament which is raised from time to time. Sometimes it may be argued that it is done politically and maybe as a result of that the charges are dismissed, but at other times when contempt of Parliament is brought forward and there has been found to be a case, action has been taken. Even in this place, as honourable as all the members attempt to be, there are abuses at times.

Motion No. 88 recognizes that these potential abuses could exist. The amendment requires the agency to establish limits for in vitro fertilization procedures on the number of ova that can be harvested or fertilized, the number of in vitro fertilization embryos that can be implanted at any time, the number that can be stored for later use and so on. The health committee recommended that there be limits placed on these activities. For some reason the government in its wisdom did not see fit to include them.

Again, going to the concept of abuses, Motion No. 89 talks about how a licensee who violates the act, in other words who causes one of those abuses, may have that licence suspended.

•(1700)

I ask all hon. members to again remember the title of the bill, an act respecting human reproduction. If members keep that title in mind I am sure they will ultimately do the right thing.

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Mr. Speaker, I wish to make a few remarks about an amendment in Group No. 5, namely Motion No. 80. It states:

That Bill C-13, in Clause 40, be amended by replacing line 5 on page 21 with the following:

“proposed research and the Agency has, in accordance with the regulations, received approval from a research ethics board and a peer review.”

The reason for this proposed amendment stems from the draft bill produced by the health committee, which recommended that research be carried out only if there was not another ethical alternative to achieve the same objectives.

The purpose of this recommendation was simple and clear. The idea was to remove the possible conflict of interest of the agency itself in having to decide subjectively that research on embryonic stem cells should be necessary in the absence of objective research into possible alternatives like adult stem cells.

The bill, as presently written, would give the agency total licence to decide on its own volition, without any checks and balances, that research on embryonic stem cells was necessary. It would become judge and jury at the same time.

The purpose of my colleague's amendment would be to set up some checks and balances so that any decision made as to whether such research was necessary would only take place after a peer review. A peer review would, from a scientific standpoint and on a totally scientific basis determine whether or not it was justified. A research ethics board would recommend whether in its totally objective and fair view there was an ethical consideration, and all ethical considerations would have been observed and respected before such research was carried out.

My reading of this issue, the question of stem cell research, has shown that in cases that have been tested and proven in actual practice, not only in research but practical application, stem cells have proven highly successful as a medium time and again in eradicating diseases that have still to be proven correctable by embryonic stem cells.

The idea of my colleague's amendment would make it a statutory requirement that there should be two reviews before an agency could deem, by itself without any regard to outside considerations or peer review, that there was a necessity for research in embryonic stem cells. Therefore there would be two basic conditions: an ethical board review and a scientific peer review.

•(1705)

I support this amendment very strongly because I feel it goes in the direction and the spirit of the health committee's recommendation that research into embryonic stem cells should be carried out only if no other ethical alternatives exist. This is the spirit in which this amendment has been crafted. I would like to ask for the support of the House in carrying it out.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, it is my privilege to add a few comments to this very important debate. My constituents have contacted me on numerous occasions to express their concern about the entire issue of stem cell research.

As has been mentioned in the House, the issue is not simply a political issue. It is an ethical issue. The idea that we want to somehow have a regulatory agency to govern this at arm's length from government is in many situations a good idea. We often want to ensure there is a measure of objectivity in decisions being made, especially in regulating ethics among government ministers. We have always felt that there should be an independent officer governing that kind of situation. Even in that situation the independent officer who looks at that is responsible to Parliament.

*Government Orders*

This issue is not as clearly defined in terms of what is the right thing to do. Because it is an ethical issue, it is a political issue and as a political issue we as parliamentarians must be involved in a much more direct way than is often the case.

It should be a committee of Parliament that governs this particular situation, not a committee of scientists or bureaucrats. The bureaucrats and the scientists bring a certain perception and a certain expertise, but they do not have the responsibility to answer to the Canadian people on this difficult issue.

Embryonic research is ethically controversial and it divides Canadians. As I indicated earlier, I received numerous calls, letters and petitions from constituents. They are concerned about this.

Embryonic stem cell research, as has been pointed out to me in a number of these letters and petitions, inevitably results in the death of the embryo, which is in fact early human life. For many Canadians this violates the ethical commitment to respect human dignity, integrity and life. It demands political accountability that can be provided by a parliamentary committee rather than the legislative proposal in the bill.

Embryonic research also constitutes an objectification of human life where life becomes a tool that can be manipulated and destroyed even for other ethical ends. That is the dilemma here. There are those who are concerned that perhaps embryonic stem cell research could point the way to the cure of difficult physical conditions, such as quadriplegics or paraplegics. Many of them see this as a possibility, and I emphasize the word possibility, because research to date has not demonstrated the value of embryonic stem cell research.

•(1710)

What we do know is that adult stem cell research has in fact proven to be a safe alternative to embryonic stem cell research. Adult stem cells are easily accessible, not subject to immune rejection, and pose minimal ethical concerns.

We as parliamentarians must be involved in this process to ensure that ethical and controversial decisions are made in such a way that we ultimately remain accountable in a very direct fashion for those decisions. I do not want even an eminently, highly qualified scientist making those decisions on my behalf as a parliamentarian. It is my responsibility as a parliamentarian to make those decisions. What I see in this legislation is a distancing of political accountability from the process.

My position and the position of my colleagues in the Canadian Alliance is that this is not a responsible way to proceed.

Adult stem cells are being used today in the treatment of numerous serious diseases, with beneficial results. Why would we embark in the whole area of embryonic stem cell research given the limitations of research money available? Let us use those precious health care dollars, those precious taxpayer dollars, on proven technology and research. Let us enhance our ability to make a difference in people's lives in the areas where we have already seen demonstrable beneficial results. Research focus should in fact be on this more promising and indeed proven alternative.

The Canadian Alliance has expressed this concern about the ethical controversy, the fact that Canadians are divided on this issue.

Wherever we stand on this matter we know there will be controversy and there is not sufficient proven evidence that this would in any way advance the cause of human health.

It was for that reason, and others, that the Canadian Alliance minority report called for a three year prohibition on experiments with human embryos, corresponding with the first scheduled review of the bill. That is a reasonable position to take.

We need to encourage research and methods that will assist Canadians in restoring them to health. However, it is premature at this time to leave the area of adult stem cell research and move into the area of embryonic stem cell research.

Therefore, I have a grave concern to hand over that responsibility and decision making process to any other body but a body comprised of parliamentarians, indeed a committee of the House. I look forward to the continued debate in this matter.

•(1715)

**Mr. Art Hanger (Calgary Northeast, Canadian Alliance):** Mr. Speaker, thank you for this opportunity, which is indeed an opportunity to express viewpoints that are shared by many Canadians. I too have received numerous calls from constituents in my riding.

A lot of them centre around the fact that the issue is so complex that I do not believe most Canadians really understand the complexities of the bill. I do not understand all the complexities of the bill and I have the privilege of sitting here and listening to many who have researched the issue in depth.

Given the fact that we sit in the midst of those with knowledge, and I know the member for Yellowhead has followed this extensively through the committee and listened to many experts, and given the mere fact we are still seeking a great deal of knowledge as to its implications for our society, I feel that most Canadians will take some time before they bone up on the whole issue themselves.

There is no question Bill C-13 is an attempt to fill a vacuum, a void where no law exists in certain areas in dealing with the matter of stem cell research. There is no question that a clear law is required, with clear prohibitions and clear penalties for those who want to violate those prohibitions. Matters of life and death, human cloning and embryonic stem cell research land squarely in the area of ethics and morality. I think we have heard much of that expressed over the days that the bill has been in the House.

I am trusting that many of the amendments put forward, and those that we are debating today in Group No. 5, will be adopted. I am certainly expressing that viewpoint as one member here and I encourage other members in the House to look closely at these amendments.

*Government Orders*

Going back to the general context of Bill C-13, we do in fact support a number of aspects of the bill. We support the ban on reproductive or therapeutic cloning. I heard the President of the United States express that very sentiment two days ago: Cloning is out. We support the ban on chimeras, the injection of an animal cell into a human embryo, and on animal-human hybrids, uniting human eggs with animal sperm, although there is some concern right at this point about an animal egg and whether there would be freedom to inject it with a human sperm. It does not cover that aspect of experimentation. We support the ban on sex selection, germ line alteration, the buying and selling of embryos and paid surrogacy.

It is interesting to look at the list of possible violations of ethics, morality and just violations overall and to think that some people would want to engage in that. I guess some would, but I can see out of that list alone that there would be a need for a strong agency. We do support the need to have an agency that will regulate and control those prohibitions and will charge if necessary. In that area we certainly support the list of prohibitions.

The bill in the overall picture deals with the health and well-being of children born through assisted human reproduction: that they must be given some level of priority, that their human individuality and diversity and the integrity of the human genome must be protected.

• (1720)

Those are the highlights of the bill and now I will look at some of our concerns, which I know are addressed in the motions before the House.

We support the recognition that the health and well-being of children born through assisted human reproduction should be given priority. In fact, here is where there is some breakdown now. The health committee came up with a ranking of whose interests should have priority in the decision making around assisted human reproduction and related research. Of course they are the children, the adults participating in these procedures, and the researchers and physicians who conduct assisted human reproduction.

Where this all starts to break down is in the area of those children born through donor insemination or from donor eggs. In this case they are not given the right to know the identity of their parents. There is no protection. There is protection for the donor, but there is no real protection for the child as far as knowing who his or her biological parents were. In this case, the right of the donor supersedes the right of the child, so the child who is born will never know.

If we look at some recent claims, there is ample evidence of children who are now seeking that knowledge, yet the bill would shut that out completely. They would be left, maybe going to their graves, without the knowledge of who their parents were.

The bill's preamble does not provide an acknowledgement of human dignity or respect for human life. Here again we talk in the realm of ethics, of morality. It is devoid of that acknowledgement. The bill is intimately connected with the creation of human life, yet there is no overarching recognition of the principle of respect for human life. That, in our opinion, is a grave deficiency.

In our minority report, we recommended that the final legislation clearly recognize the human embryo as human life, and that the

statutory declaration include the phrase "respect for life". As I explained earlier, just to recognize the human embryo as life would allow clear legislation and a prohibition that would define what scientists can and cannot do when it comes to dealing with that embryo. Right now with the way the bill is outlined, they actually could take that life, that is, kill the embryo and take stem cells from that embryo.

We believe, therefore, that there has to be a substantial inclusion in the preamble of this document: a statutory declaration that would include respect for human life. These amendments cover that.

Embryonic research is ethically controversial and it undoubtedly will divide Canadians. In the House we have been very much aware of the number of petitions that have been tabled pertaining to this research. I encourage all the members of the House, as we on this side already have agreed to do, to support these amendments that are coming up. I know that there will be an interesting debate to follow.

• (1725)

**Mr. Rob Anders (Calgary West, Canadian Alliance):** Mr. Speaker, one of the interesting things about this debate is that we have people in the House of Commons and in society at large who are concerned with the subject of animal rights, yet today we are dealing with the subject of the rights of human beings and, in a sense, embryos as the beginning of human life. I always find it intriguing that in our modern age we have a scenario where in this place and in society at large sometimes the rights of animals are more pristinely maintained or upheld or looked after, or there is more concern for their rights than the rights of human beings. We are in a perverse situation in these decades where animal rights issues seem to trump some of the very concerns that we are trying to deal with in this legislation. It is a perverse warping of a sense of priorities and a sense of rights.

It reminds me in a sense of the whole criminal justice debate in our country, where the rights of the criminals trump those of the victims. We deal with those issues, whether it is conditional sentencing, early parole, consecutive sentences, age of consent with regard to pimps and minors, or pedophiles. We get into this perverse situation where the government many times seems to take the rights of the criminals into account more than it does the rights of the victims. It is a shame.

This reminds me of the whole idea that somehow the rights of human beings, embryos and babies are not as important as even animal rights would be. We had that debate in the last session.

Going on to the specifics, I would like to talk about how I and my party believe that the preamble should have an acknowledgement of human dignity and respect for human life. We also believe that the bill is intimately connected with the creation of human life and yet there is no overarching recognition of the principle of the respect for human life. It is a grave deficiency.

I could go on with all of these things I have in front of me, but I would like to touch on some of the things that I think other people will not cover. One is the question of what sword upholds the covenant.

*Private Members' Business*

As I am running out of time, I will say that we have to ask this question: Who profits from the bill? I would say it is the drug companies who are going to be coming up with anti-rejection drugs.

As well, would it pass a referendum? Fundamentally that question should be answered with this one: Why is it not being put to a referendum of the Canadian people?

● (1730)

**The Acting Speaker (Mr. Bélair):** It being 5:30 p.m. the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### WHISTLE BLOWER HUMAN RIGHTS ACT

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance)** moved that Bill C-201, an act respecting the protection of employees in the public service who make allegations in good faith respecting wrongdoing in the public service, be read the second time and referred to a committee.

He said: Mr. Speaker, it is an honour to rise today on behalf of the constituents of Surrey Central and many whistleblowers to speak to my private member's bill, Bill C-201, the whistle blower human rights act, which I call in short, WHRA. I thank the hon. member for Elk Island for seconding this most important bill.

The purpose of Bill C-201 is to protect members of the Public Service of Canada from retaliation for making, in good faith, reasonably well-founded allegations of wrongdoing in the public service to a supervisor or to a public body.

Thousands of Canadians, both in the private and public sector, witness wrongdoing on the job. Most remain silent but a few cannot keep quiet. Their sense of duty and love for their country results in their choosing to speak out by blowing the whistle.

Whistleblowers are sometimes regarded as heroes, particularly when exposing serious dangers to public health or safety. At other times, they are perceived as disloyal employees or vilified as traitors.

Employees who expose workplace wrongdoing almost always pay a heavy price for their decision. They sometimes face different forms of retaliation. Punishments range from being shunned by their colleagues to harassment to termination to being blacklisting.

Feature films like *The Insider*, which depicts Jeffrey Wigand, a tobacco company researcher who exposed his employer on *60 Minutes*, for lying about the dangers of smoking and whose life was shattered as a result, acts as a deterrent to potential whistleblowers.

Let us take a moment to remember some of the well publicized cases in Canada.

Bernard Dussault, chief actuary, Canada pension plan, reported that he was asked to modify numbers to paint a more positive state of the CPP. He was fired.

Michelle Brill-Edwards, senior physician in Health Canada's prescription drug approval process, was pressured to approve medication that had caused deaths in the United States. She went public and had to resign from her job.

Joanna Gualtieri, portfolio manager for Latin America and Caribbean in DFAIT, blew the whistle on waste and lavish spending on diplomatic housing and embassies. The Inspector General and Auditor General of Canada later supported her allegations. She was harassed and marginalized within the department. Finally, she had to quit, go through the expensive courts and her career was ruined.

Brian McAdam was a 25 year veteran foreign service officer in Canadian diplomatic missions in the Caribbean, Europe, the Middle East, South America and Asia. In 1991 he documented evidence of corruption at Canada's foreign mission in Hong Kong. I talked about that in some of my previous speeches. He was demeaned and ostracized by his colleagues and finally he gave up. He took an early retirement.

Michael Sanders, financial analyst, Office of the Superintendent for Financial Institutions, blew the whistle on the absence of sufficient safeguards to protect taxpayers against the collapse of major financial institutions. He was fired from his job.

Dr. Shiv Chopra, a senior veterinary drug evaluator in Health Canada's Therapeutic Products and Food Branch, blew the whistle on the drug approval process for bovine growth hormones. He said human health concerns were being ignored due to pressure from lobbyists of drug companies. He suffered harassment.

Corporal Robert Reid, a veteran RCMP officer associated with the report called "Sidewinder", which has been ignored due to political pressure, paid a huge price like others.

There are many other cases: Dr. Margaret Haydon, Health Canada; Marilla Lo, Treasury Board; Russell Mills, the *Ottawa Citizen*; Bob Stenhouse, RCMP; and Dr. Barry Armstrong, Canadian Armed Forces. The list goes on but since my time is limited, I will stop naming them.

● (1735)

If public servants reveal wrongdoings within their departments or agencies, should they suffer as consequence or should they be rewarded? I believe employees should be able to raise their concerns without fear of reprisal. This is why I introduced my bill, Bill C-201, which would make it an offence to discipline or disadvantage an employee for such actions and provides for a fine and order of restitution to the employee.

The Liberal cabinet members, while in opposition, are on the record supporting whistleblower protection. For instance, the former Liberal Party critic for public sector ethics and current government House leader, the hon. member for Glengarry—Prescott—Russell, said in 1992:



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The [whistleblowers] bill provides protection for people who are trying to act in the best public interest...It provides for means to protect people who are employees of the public sector and feel morally bound to protect the interests of the public.

He went on to say:

Why should someone who is defending the public interest in good conscience have to then defend themselves in courts and everywhere else for having taken what was right to start with? That is the difficulty with the absence of any kind of law that protects whistleblowers.

He also said:

I think as a general principle all of us who represent the public interests in this House should believe in our conscience that it is not the side of the boss you take, it is the side of the public because it sent us here. That is the fundamental principle of our democratic system.

He went on to say:

In order to provide that kind of accountability and those means, we need a bill such as this...I think in principle, I like it.

The hon. member then went on to quote from a Liberal caucus approved document. The document was entitled "Public Sector Ethics" and it called for whistleblower protection. I do not agree with the government House leader very often but on this issue I absolutely agree with him.

Since the direct quotation establishes that the Liberals, their caucus and the former Liberals ethics critic agreed in principle with the whistleblower protection legislation, the million dollar question is: after 10 years, where is the whistleblower protection legislation?

Since 1993, there have been no government bills on this subject. Maybe it did not get a chance to draft it but now we have one, which is Bill C-201.

Sound legislation protects democracy from itself. The presence of a dictatorship coincides with the lack of sound legislation and the habitual rejection of transparency and accountability. The habitual rejection of transparency and accountability in public life systematically corrupts social institutions. Corrupt social institutions breed neglect, political interference, waste, mismanagement, corruption and weaken our national security.

Whistleblowers are now being muzzled and denied a forum. The Public Service Commission has no power to hear the cases of whistleblowers. The Public Service Staff Relations Board has no jurisdiction for a whistleblowing claim. Ministers do not even respond to letters from whistleblowers. A good starting point is the creation of and passage of legislation that is directed at institutions that are publicly funded.

Some people might come up with a lame excuse and say that we have an internal disclosure policy. The Public Service Integrity Office was established by the terms of this Treasury Board policy to be an agency to facilitate the internal disclosure by public servants of wrongdoing in the public service. It is considered to be independent, external and impartial to receive and investigate good faith disclosure allegations alleging wrongdoing.

• (1740)

Let us look at the contrast between the whistleblowers human rights act, the WHRA, and the internal disclosure policy, IDP.

First, according to the WHRA, every employee has a duty to disclose wrongdoing. Under IDP, employees have no obligation to

reveal wrongdoing, though the integrity officer has criticized the IDP for this failure.

The WHRA would permit public servants to disclose alleged wrongdoing to public bodies, including the media. On the other hand, under IDP unauthorized external disclosures can result in disciplinary action, including termination of employment.

Under the WHRA, a whistleblower would have the right to bring a civil action before a court. Under IDP, the Canadian Human Rights Tribunal is an option for employees facing harassment.

According to the WHRA, a supervisor, a manager or other person of authority who harasses a whistleblower would be subject to criminal prosecution and would face a fine of up to \$5,000. As well, they would be subject to personal liability for any resulting damages that may be awarded to an employee pursuant to any civil or administrative proceeding.

According to the IDP, employees are subject to disciplinary actions, including termination of employment. Superiors are not liable or responsible.

According to the WHRA, the minister responsible for the relevant department shall issue a public apology to an employee who is successful in a claim. Under IDP, there is nothing of this nature.

According to the WHRA, an employee who successfully blew the whistle would also be recognized with an ex gratia award. Under IDP, there are no rewards, but only punishment for whistleblowers.

The integrity officer wants some sort of reward system introduced to offer encouragement to public servants to come forward in good faith with evidence of wrongdoing.

According to the WHRA, written allegations shall be investigated and reported upon within 30 days of receipt. In the IDP there is no time guarantees even in feeble attempts.

With WHRA, the minister shall ensure that remedial action is taken promptly. IDP promises a prompt response and failure to do so will result in the integrity officer taking his report to the Clerk of the Privy Council.

According to the WHRA, the President of the Treasury Board shall create a registry in which a copy of every written allegation is deposited. This registry would be made available to the public. In the IDP the integrity officer issues an annual report to Parliament.

Dr. Edward Keyserlingk, Canada's integrity officer, began his work in April 2002. He is critical of the government's current whistleblowing policy, not legislation, and he argues that Canada needs a tougher whistleblowing policy. It should be a public servant's duty to expose any suspected wrongdoing, and not enough people are coming forward.

He says that whistleblowers should be rewarded with promotions and citations. He says that the creation of his seven person office is not good enough to stop the inertia, suspicion and fear of job reprisals so ingrained in the system.

*Private Members' Business*

By May 2002, the integrity officer had received 45 cases and 21 were quickly closed. Either the issue was resolved, or the matter was referred to another jurisdiction, or a decision was made not to pursue or it did not come within the purview of his office.

Dr. Keyserlingk identifies that the root problem is a lack of leadership and accountability. I translate that lack of leadership into lack of political will. Critics say that we will have a framework that offers no protection to public servants because the minister's office said so.

In many countries around the world public service employees are protected by whistleblowing legislation. The United Kingdom passed the public interest disclosure act in 1999. The U.S. federal employees were initially protected under the civil service reforms act, 1978, which empowered a special council of the merit system protection board and it was unanimously passed. In Canada we do not have such legislation.

• (1745)

Therefore I would ask all hon. members to kindly support Bill C-201 and let us send it to the committee where any appropriate changes or amendments can be made.

**Mr. Tony Tirabassi (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, before addressing any specifics relating to Bill C-201, I would first like to thank the hon. member for Surrey Central for allowing me to make this my first representation as parliamentary secretary and to compliment the hon. member for Surrey Central for his efforts in bringing forth this proposed legislation.

His obvious and very serious concern for protecting the rights of employees who, in good faith, make allegations respecting suspected wrongdoing within the public service is truly laudable.

The Government of Canada is strongly committed to promoting and protecting the dignity and the human rights of its public service employees.

The existing policy on internal disclosure of information concerning wrongdoing in the workplace, or IDP for short, allows employees to bring forward, in good faith, information concerning wrongdoing. This same policy ensures that they may do so in confidence and are protected from reprisal.

It is applicable to all departments and organizations of the public service as listed in schedule I, part I of the Public Service Staff Relations Act. Since its inception one year ago, the IDP has been working and it has been working very well.

A survey of departmental senior officers of disclosure, to whom employees may turn with information concerning suspected wrongdoing in the workplace, confirms this.

The survey carried out this past July revealed that to date more than 30 disclosures of wrongdoing have been handled through the IDP. All disclosures were addressed promptly, with two-thirds having been resolved within a few weeks and one-third still under investigation. These results clearly show the willingness of public service employees to come forward with information under this policy without fear of reprisal.

The IDP is not a static document. The policy has been in place for a short time. It is open to possible change and improvement. In fact, it will be reviewed in 2004 to ensure that it continues to allow employees to bring forward information concerning wrongdoing and to ensure that they are treated fairly and are protected from reprisal when they do so in a manner consistent with the policy.

We all know that Canadians expect their government to be guided by the principles of honesty, justice, integrity and good governance. These are precisely the principles that the IDP is working to maintain and ensure.

Having said that, I must now say that the government is unable to support Bill C-201 for several solid reasons. First, the government cannot support the bill because we are not convinced that legislative measures are necessary to address the issue of employee protection when whistleblowing in the federal public service.

In drafting the IDP, we chose a policy approach instead of legislation largely because our values as Canadians are clear: tolerance, integrity and respect for democracy and the democratic tradition.

The IDP reflects Canadians' beliefs about professional and ethical behaviour. This policy is not based on a rule book, but rather, resonates with commonly held standards of conduct.

Two other important considerations of why the government is unable to support the bill are because it confuses the mandates and jurisdictions of government, as well as reaching far beyond the purview of the Treasury Board.

The bill proposes to define an employee as a person who is or has been employed, or is being considered as an applicant for a position within the federal public service. It generously and, I might add, erroneously extends the definition to persons who provide goods or services to the Government of Canada on a contractual basis.

The bill would erode the important role of deputy ministers in the management of human resources in the public service.

• (1750)

A policy approach is more appropriate by situating accountability in the hands of deputy ministers as per the existing legislative framework. This was clearly stated in the Auditor General's report, chapter 12, which was tabled in October 2000, where there was a consensus that work had to be done in Canada's federal public sector to allow the voicing of ethical issues with appropriate protection for all concerned and it needed to be addressed as part of a comprehensive approach.

Furthermore, it was proposed that a senior independent authority be established to receive reports confidentially and act in a fair and impartial manner. That is to say, accountability as defined in the Public Service Employment Act, the Financial Administration Act, Security of Information Act and the Criminal Code of Canada.

As such, still toward accountability, the bill would seek to extend the regime over bodies that are under provincial and territorial jurisdictions and to govern conduct in the courts and in the media.

On another important point, it would be remiss to fail to take note of the bill's assertions concerning unrestricted freedom of expression. These assertions are in fact in direct opposition to the duty of loyalty recognized by the courts that public service employees owe to the government and that underpins the institution of non-partisan public service.

Similarly, the creation of a registry by Treasury Board, which would encompass a copy of every written allegation made pursuant to this bill, would be contrary to the protection of employee confidentiality as assured under the existing policy.

Finally, I would like to point out to the House that remedies for violation provided for in Bill C-201 go far beyond IDP provisions. These are particularly troubling elements of the bill. If the House will bear with me, I will take a few moments to elaborate on this section.

As set forth in the proposed legislation, persons with authority can be fined up to \$5,000 upon violation of the rights of disclosure. The bill would also permit the disclosure to bring a civil action before the court. Going one step further, any legal fees incurred by the disclosure would be reimbursed. Successful claimants, moreover, would receive both a public apology from the government and a discretionary award. These are troubling remedies. They are also, in my opinion at least, classic examples of the cure being worse than the affliction.

In conclusion, I would like to assure all members that the government is committed to protecting the rights of those who see wrongdoing in the workplace and ensuring that public service employees have the confidence to come forward. This is a responsibility that the Government of Canada does not take lightly.

The government does not, however, regard Bill C-201 as the appropriate path to follow in protecting the rights of the federal public service employees who, in good faith, bring forward information concerning wrongdoing in the workplace. The government therefore will not be voting in support of the bill.

• (1755)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I compliment the member for Surrey Central for bringing forward this important issue of providing protection from reprisal for public civil servants who have the decency to report what they view as wrongdoings in the public service.

It has been interesting to watch the Parliamentary Secretary to the President of the Treasury Board, in his new role, dancing all around the issue and scrambling to find reasons not to support this worthy bill. I do not accept many of the excuses that have been put forward. I do not believe they stand as a good argument for not introducing whistleblowing protection.

How quickly people change when they get into government. I can read a quote from the Liberal approach to the public service which was printed in September 1993. I also would point out that the election was in October of that year. Just before the election, the Liberals said:

Public servants who blow the whistle on illegal or unethical behaviour should be protected.

A Liberal government will introduce whistle blowing legislation in the first session of a new Parliament.

### *Private Members' Business*

A month later, realizing that it would be their government having the whistle blown on it, they reversed their position on whistle blowing completely. They were no longer interested in introducing legislation to protect public servants. Now they have a wishy-washy policy guideline, supposedly to protect civil servants, which, as we all know, does not work.

I will give a recent example of how it does not work. I know of a recent case of a woman who brought forward information to her employer, the federal government, because she felt there was wrongdoing in her workplace. She felt sure there was illegal activity going on in her workplace. Does anyone know where it was? It was in the Prime Minister's Office.

Louise Ross, who worked in the Prime Minister's Office as the assistant to the photographer, found out that the photographer was using House of Commons cameras, darkrooms, et cetera, to do private events, weddings, et cetera, for his own benefit. She went to her superior and said that she thought that was wrong. She said that her boss, the professional photographer for the House of Commons, was using government equipment for his own personal gain. Ms. Ross' superior thanked her very much for bringing that to his attention but then told her to clean out her desk because she was fired because she had the goodwill and the fortitude to live by her convictions and report this.

I can use her name because she is still fired. She lost her job because she came forward with information like that, which is the very reason that the member for Surrey Central introduced this bill. I should point out that I tried to introduce a similar bill in the previous Parliament and it went about as far as I predict the hon. member's bill will go.

We have had more high profile cases that have made the newspapers. We had the famous case of Dr. Chopra, a longtime Health Canada veterinary drug evaluator, who brought a matter of perceived wrongdoing in his workplace to the attention of his employers. He has been in the courts for years over this.

The bill the hon. member has put forward would provide a legislative mechanism whereby there would be a comfort for public servants so they could bring this information forward with anonymity and it would be dealt with and brought to the attention of the appropriate department heads or minister without any fear of reprisal or repercussion.

Some of those repercussions can be subtle. People are not always fired. Sometimes they are passed over for promotion because of an event like that or they are not given their vacation on the weeks for which they asked. Little things are keeping well-meaning public servants from coming forward with evidence of wrongdoing.

*Private Members' Business*

●(1800)

Perhaps the most famous example is the recent Groupaction sponsorships scandal where these money for nothing contracts were going to companies and no work was being produced. Public servants who were involved in the administration of these money for nothing deals came to us saying that they were forced to sign cheques for work they knew very well was never performed, or to sign a cheque for \$100,000 for work that could not possibly be worth that amount of money. They were uncomfortable with it. They balked at it and questioned it but they were ordered to do it anyway.

Those people would like to come forward to clean up some of the scandal of the sponsorship contracts but they cannot. I cannot use their names for fear of jeopardizing their jobs. If there were a mechanism in place, they could go forward without fear of reprisal.

I would argue that the difference between my bill, Senator Kinsella's bill and the bill from the Conservative member from New Brunswick is that the agency should be the Auditor General. I respectfully put it forward as a possibility that the Auditor General could be the one to assess the complaint to ensure that it is not put forward in a vexatious or malicious way and to ensure that it is put forward in good faith. Once the Auditor General was satisfied that it was a good faith complaint, it would be investigated on the merits of the complaint and subsequent action would be taken. We all have respect for the independence of the Auditor General.

I lament the fact that we have been so slow to introduce this necessary legislation. It seems it is only parties in opposition that are fans of whistleblowing legislation. Yet other jurisdictions around the world, as the hon. member pointed out, have already implemented sensible whistle blowing legislation, not the least of which is the United States. Many state governments within the United States have very firmly established whistleblowing legislation.

We would argue that we should be leading by example in the public sector so that such measures are also introduced in the private sector. I think again of the Enron scandal in the United States. Had employees felt that they had a mechanism with which to report wrongdoing, perhaps a great deal of tragedy could have been avoided in that situation.

We have already got some form of whistleblowing legislation in terms of workplace safety and health. An employee cannot be disciplined for bringing forward information about unsafe working conditions. If a scaffold is faulty and the employee's fellow workers are working on the scaffold, the employee cannot be disciplined for putting a stop to the work of the employer, even if it is a public sector employer, the maintenance department of the House of Commons, for instance. No one can be disciplined for that.

We are simply saying we should extend that to other incidents of wrongdoing, whether it is a misuse of funds, out and out theft, breaking of laws, or in the case of the Prime Minister's Office, abusing the privilege of using government equipment for personal gain. Any of those issues should fall under the same category of whistleblower protection.

I should point out that my predecessor in the NDP, Jim Fulton, fought for this long and hard during the 1980s and got nowhere. At that time it was a Tory government that was resisting. It seems the

ruling party never has any interest in introducing whistleblowing legislation because the civil servants would be reporting wrongdoings within that government's own administration and it would be embarrassing.

A good employer should welcome whistleblowing legislation. The government should embrace whistleblowing legislation if it is serious about running an efficient and transparent government operation.

With respect to those who oppose the concept of whistleblowing legislation, there is reason to believe that they are not comfortable with having their operation fully transparent. They should be openly embracing the idea of their employees coming forward to point out wrongdoing, providing it is not done in a vexatious or malicious manner.

An hon. member used the excuse of the common law tenet of loyalty to the employer which is archaic. It is medieval. It goes back to the servant-master relationship. The courts have upheld it from time to time, but rarely. It should not be used as an obstacle for this issue of basic fairness. This is the place where legislation is crafted, where legislation is made. We can decide to override and trump an archaic concept like the common law point of loyalty to the employer.

●(1805)

**Mr. Rex Barnes (Gander—Grand Falls, PC):** Mr. Speaker, it is a great honour to speak to Bill C-201 respecting the protection of employees in the public service who make allegations in good faith respecting wrongdoing in the public service.

Before getting into any type of political arena, I worked as a government employee. I worked with union members who would do certain things and unfortunately they would be looked at as the bad guys.

The bill came forward from the member for Surrey Central. Opposition parties are supportive of it but it seems that government members will not support it. That is too bad because I firmly believe that if this bill were enacted, companies, businesses and all sectors would save money because all the wrongdoings would be reported and things could happen that would be in the best interests of being open and fair.

I could tell stories that would lead members to believe that no one really cares, that people do not want to get to the truth, to the facts. I have a story of a gentleman whom I know personally who decided to report a certain activity. For some reason or another he was given the impression that he was the bad guy, but he did what an honest employee would do. He reported something that was not right, something that was wrong. The result was that he was the one who felt that he did something wrong.

There are people who get hauled over the coals for doing something that is honest. They have told the truth and they are the ones who are put in an awkward situation. Because of that, the old saying that we see no evil, we hear no evil, so we will speak no evil comes into play and a person who is in that situation will say that it does not concern him and he is not going to worry about it. Then we get bad employees.

*Private Members' Business*

Although the bill is very lengthy, it is precise and accurate. It gives employees the right to do something that is honest, just and fair. I do not think the legislation will see the light of day because I am sure the government will not enact this bill for the benefit of all employees.

It is stated throughout the bill that all wrongdoing should be reported and that there should be protection for the whistleblower so that the person is not at a disadvantage. I am sure there are all kinds of stories of employees out there where employers have disciplined the whistleblowers to the point that they are not be promoted, they are not given pay raises, and they are looked at differently.

If we are to have a society that is based upon truth and honesty, we as a government must enact a law that protects individuals so that they can work honestly in workplaces, be fair to employers, and at the same time report things that will be a major negative to society. As I said, people who tell the truth are looked at differently, but if they tell a lie, people are happy. As a result, whistleblowers today will not do what is right. They will not save money for the government or for other employers only because they know that they will be suspended, or fired, or there will be no room for advancement.

This is not a votable bill. It is good legislation, but unless the government decides to make the bill votable, we could talk all day long until the cows come home to no avail. We are the ones who have the ideas and the government is just trying to protect the wrongdoings rather than opening up the field for doing the right thing.

• (1810)

Everyone expects politicians to do the right thing. We are sending a message to public servants. If we do not do the right thing by implementing such a great bill to protect whistleblowers, the result will be that we will be classified as politicians who cannot be trusted to do the right thing.

We need to take a stand to move the bill forward. We need to send the right message to the public sector that we are here for the good of all. The good of all means protecting the people who come out and tell the truth and not the ones who tell lies.

We hear all the time that the RCMP snitches are paid certain numbers of dollars to protect the public interest. They report things to the RCMP so an arrest can be made for the good of everyone in society.

It is no different with this bill. We need to make sure that we act in good faith for the country and that we act in good faith for employees. This would be good for everyone. If we do not do this, we are going nowhere.

I could stand here all day and give examples and talk about the bill, but sometimes I think we are just wasting our time and we are just here to hear ourselves talk. This is an issue of such importance and there is hardly anyone on the other side. We are trying to make sure the government gets the message—

**Mr. Larry Bagnell:** Mr. Speaker, I rise on a point of order. A member is not allowed to mention the presence or absence of members in the House.

**The Acting Speaker (Mr. Bélair):** I am sorry. I was talking with a clerk on business of the House and I did not hear. Did the member for Gander—Grand Falls refer to the absence of a member?

**Mr. Rex Barnes:** Yes, Mr. Speaker, I did refer to the absence of certain members and I do apologize for that.

**Mr. Pat Martin:** Mr. Speaker, on a separate point of order, it has been brought to my attention that during my remarks on the bill, I made reference to the photographer of the Prime Minister's Office and a woman who was fired from there for whistleblowing about wrongful activity.

It has been brought to my attention that I may have said the photographer for the House of Commons. I did not intend that. The woman who was fired did not work for the photographer of the House of Commons. She worked for the photographer of the Prime Minister's Office. I would like to clarify that.

**The Acting Speaker (Mr. Bélair):** Certainly, your correction has been noted.

**Mr. Rex Barnes:** Mr. Speaker, I do not want to prolong the debate so I will just end off by saying that we need to look closely at all bills. This bill is a good bill. This is not a bad bill. We should not be afraid to move forward on it. If people are afraid to move forward, it is because they do not want to change anything. We have done the right thing by standing up and bringing forth our thoughts.

The hon. member from the opposition brought the bill forward because he knows very well it is a big concern. It is time that the Liberal government did the same.

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, I want to commend my colleague from Surrey Central for bringing this bill forward. The issue of the need to protect people in the public and private service who bring forward wrongdoing has long been an interest and passion of my colleague. I am pleased to be here today to support his bill.

Transparency and accountability in government, and in business, are two important elements of a healthy democracy. In fact, a healthy democracy requires citizens to practise transparency and accountability.

The practice of transparency and accountability requires sound legislation that would undergird our social institutions. I read a book a few years ago by a man who went with a group from North America to the Soviet Union. He was invited by the KGB. The reason the KGB invited the group was because it was composed of individuals who were leaders in the religious community and taught ethics.

The KGB said to the individuals that it was concerned that its society was falling apart because there was no practice of ethics, honesty and accountability. For example, a company would enter the country to develop resources. It would bring in equipment for drilling or other resource development, but the train cars carrying the equipment would be absolutely stripped bare before they would even get to the mining or drilling site.

The KGB said it could not induce foreign investors or foreign business people to do business in its country because contracts were not honoured. The group was told that it was needed to help put back some adherence to moral and ethical standards into that society.

*Private Members' Business*

Whether the book was accurate or not, I do not know, but I do know that the individual is well respected and that he gave a very compelling story of the situation of a society where transparency, accountability, honesty and ethical standards were not upheld.

This is not a small matter. It is a very important matter that goes right to the heart of our democracy because habitual rejection of transparency and accountability in public life systematically corrupts social institutions. The example I just gave is but one example.

Corrupted social institutions breed neglect, political indifference, defeatism, and mismanagement of human and social resources. People give up because they no longer trust or believe in the institutions that are working for them and their society.

At the end of the day dictatorship really is what coincides with habitual rejection of transparency and accountability within social institutions. Anything that can be done to emphasize and demonstrate to citizens and to society that the lack of accountability and the breeching of ethical standards will result in someone being held to account is very important.

*Time* magazine in its December 22 edition unveiled *Time's* persons of the year. *Time* chose whistleblowers and gave this account:

Sherron Watkins is the Enron vice president who wrote a letter to chairman Kenneth Lay in the summer of 2001 warning him that the company's methods of accounting were improper.

Coleen Rowley is the FBI staff attorney who caused a sensation in May with a memo to FBI Director...about how the bureau brushed off pleas from her...office that [an individual], who is now indicted as a Sept. 11 co-conspirator, was a man who must be investigated. One month later Cynthia Cooper exploded the bubble that was WorldCom when she informed its board that the company had covered up \$3.8 billion in losses through...phony bookkeeping.

● (1815)

These women were not seeing themselves as heroes. The article continued:

They were people who did right just by doing their jobs rightly—which means... with [their] eyes open and with the bravery the rest of us always hope we have and may never know if we do. Their lives may not have been at stake, but...pretty much everything else on the line. Their jobs, their health, their privacy, their sanity—they risked all of them to bring us badly needed word of trouble inside crucial institutions. Democratic capitalism requires that people trust in the integrity of public and private institutions alike. As whistle-blowers, these three became fail-safe systems that did not fail. For believing—really believing—that the truth is one thing that must not be moved off the books, and for stepping in to make sure that it wasn't, they have been chosen by TIME as its Persons of the Year for 2002.

The article further stated that:

...whistle-blowers don't have an easy time. Almost all say they would not do it again. If they aren't fired, they're cornered: isolated and made irrelevant. Eventually many suffer from alcoholism or depression...These were ordinary people...[and these three whistleblowers]...did not wait for higher authorities to do what needed to be done.

We heard the parliamentary secretary say that we do not need whistleblower legislation because there is a good policy and we accept the kind of whistleblowing that people might do. This is completely and utterly untrue. In fact the nervous hysterical laughter you hear, Mr. Speaker, probably comes from hundreds of cubicles in the public service today.

I received a letter from a man who says the following:

Since 2000 I was trying to alert the proper authorities about the huge security failures at our borders. At that time I was acting as a senior immigration officer.

Following the capture and imprisonment of a smuggler, I was reprimanded. The result: I have been laid off.

That is in our public service. This is a case that has been in the newspapers. I met last night with a man who is an inspector who brought forward deficiencies in safety standards in certain transportation vehicles in our country. What happened? He was ignored, yet he persisted, and he was effectively and constructively dismissed.

One thing that happened to another person in the company who did the same thing was that this person was told, "You're going to be transferred right away. We don't know how long you will be there, probably a few weeks, maybe a few months and then you will be transferred somewhere else". This is a man with a wife and kids who had been living in a particular province for all of his life. Yet he was told, "We don't want you any more. We are not going to fire you, but we are going to make your life so miserable that you have no choice". This is happening in Canada.

Therefore, for the government to even pretend—especially with its record in the human resources development department, advertising contracts, cost overruns in the gun registry, and so many other things—to dare to stand up and say to public servants, civil servants, in this country, "Don't worry. If you see something that isn't working, that is wrong, you just come forward. We'll welcome that", is a joke.

This legislation is absolutely necessary and critical not just for the short term, but because Canadians deserve a society where people can adhere to ethical standards and can speak up when they see those standards breached, and not be fearful.

Other examples have come forward from other members who have spoken where this is now happening in this country. I urge the House to support this legislation because it is critical for our democracy.

● (1820)

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, I thank all the members who participated in this debate on Bill C-201, my private member's bill, which provides in law for the protection of a whistleblower in the workplace. It prohibits retaliatory action against whistleblowers. It ensures that Canada sets into law, not in just a wishy-washy, half-baked policy, the framework for a legal grievance procedure and a defined recourse for our conscientious public servants who report wrongdoing within the system.

Bill C-201 provides for a mechanism to address the wrongdoing and compensates the whistleblowers for any damages they suffer. We need to encourage public servants to come forward when they find evidence of wrongdoing, corruption or the misuse of taxpayers' money.

The threat of employer retaliation must be eliminated in order to encourage government employees to speak up. By passing legislation, Parliament will send a clear message to employees that they will be protected by law if they blow the whistle.

*Time Magazine* declared 2002 the year of whistleblowers and featured three famous whistleblowers on the front page. If this bill were passed, with appropriate legislation in place perhaps *Maclean's* magazine would make a similar declaration in 2003.

There is a very important need for the bill. The drinking water fiasco in Walkerton, Ontario could have been prevented. As well, the September 11 terrorist attacks highlight a longstanding necessity to strengthen free speech protection for national security whistleblowers. Also, the accounting misdeeds that led to the collapse of corporate giants like Enron, Arthur Andersen and WorldCom and resulted in thousands of workers losing their jobs left many wondering why someone did not blow the whistle on these dishonest practices sooner.

Many countries have this whistleblower legislation, as I mentioned, such as the United States, the U.K., Australia and New Zealand. In the United States, whistleblower protection was passed unanimously by Congress in 1989, a long time ago, and was strengthened again by a unanimous vote in 1994. In the U.S. there is also a whistleblower reporting agency. Under the federal false claims act in the U.S.A. a whistleblower can receive a percentage of money that is recovered.

Here in Canada we need such legislation. The Professional Institute of the Public Service of Canada, which is a national union representing about 36,000 professional and scientific employees, and the Public Service Alliance of Canada, representing about 150,000 federal public servants, have been calling for the enactment of legislation to protect federal public sector employees from reprisals for blowing the whistle. Whistleblowers should not be denied fair and just redress for the injuries they suffer as a result of disclosing corruption and rot in the system.

Bill C-201 is a unique and comprehensive bill. It is unique because whistleblowers like Brian McAdam, Joanna Gualtieri, founder of FAIR, Federal Accountability, Integrity and Resolution, and Louis Clark, executive director and founder of the U.S.

### *Private Members' Business*

Government Accountability Project, GAP, were consulted to take advantage of their real life experiences. I thank them for their input in drafting the bill.

However, the government does not seem prepared to pass legislation, being content instead with an internal disclosure policy that even its overseer says is flawed. Despite a caucus document that was approved a long time ago, I consider this another broken promise. It was promised in caucus that it would support whistleblower legislation and today the parliamentary secretary denied that.

The non-legislative approach offers little new incentive for employees or potential whistleblowers in this country who would rather not disclose wrongdoing to their employers. It is an affront to democracy. It is inhibiting transparency and accountability in the government and putting the lives of many Canadians in jeopardy because something going wrong somewhere will not be reported to the public. I think it is an affront to democracy and it should not be happening.

● (1825)

The government still has a chance to support the bill. If members support the bill, I urge them to send it to a committee where it can be amended if there is any problem with it.

I thank all the members who participated in this debate.

[*Translation*]

**The Acting Speaker (Mr. Bélair):** The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item, the order is dropped from the Order Paper.

It being 6:30 p.m., the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:30 p.m.)





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