



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, April 29, 2003**  
**Part A**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Tuesday, April 29, 2003

The House met at 10 a.m.

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*Prayers*

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•(1000)

[*Translation*]

## INTERPARLIAMENTARY DELEGATIONS

**The Deputy Speaker:** I have the honour to lay upon the table the report of the Canadian parliamentary delegation that travelled to Austria and Hungary from March 3 to 8, 2003.

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## ROUTINE PROCEEDINGS

•(1005)

[*Translation*]

## 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 22 petitions.

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[*English*]

## INTERPARLIAMENTARY DELEGATIONS

**Mr. John Godfrey (Don Valley West, Lib.):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report of the Canadian delegation of the Interparliamentary Forum of the Americas to the second plenary session in Panama City, Panama, February 20 to 21, 2003.

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## QUESTIONS ON THE ORDER PAPER

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

•(1010)

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNEMENT ORDERS

[*English*]

### CANADA AIRPORTS ACT

The House resumed from April 28 consideration of the motion that Bill C-27, an act respecting airport authorities and other airport operators and amending other acts, be read the second time and referred to a committee.

**Mr. Stan Keyes (Hamilton West, Lib.):** Mr. Speaker, as I started to say in my remarks late yesterday before the House adjourned its regular business, there is extreme concern in the airport community that Bill C-27, if not amended, would cripple an airport's ability to continue to work in what is clearly a very competitive international market.

Yesterday I spoke about how the air transportation industry has had an enormous impact on the Canadian economy. I pointed out that the viability of Canada's air transportation system is threatened and the consequences for Canada are enormous. I also gave reasons why the industry is in crisis today. I said that airports must adjust to the new realities of air travel, reduced frequency and the withdrawal of service. This means airports will have to reduce costs in order to minimize impacts on airlines and air travellers.

I stressed that the federal government too must act to cut costs to airports so these may be passed along to airlines in the form of lower fees and charges, and to air travellers in the form of lower air fares.

Ironically, at a time when the federal government should be reducing the operating costs of airports, the proposed Canada airports act, Bill C-27, does just the opposite. The proposed act, which would effectively re-regulate an economic sector that the government effectively and successfully deregulated eight years ago, piles one administrative redundancy upon another and introduces over 40 areas in which the minister may pass regulations, adding to the administrative burden of Canada's small airports.

The government is introducing these drastic measures without a single, overarching public demand for change and without having conducted a single regulatory impact or cost benefit analysis. In fact, a number of independent and government commissioned studies recommended a course of action substantially different from the government's proposed legislation.

*Government Orders*

I declared my bias and it is called John C. Munro Hamilton International Airport. I quoted from a letter to me from Mr. Tony Battaglia, president and CEO of TradePort International Corporation, operator of Hamilton airport. I read from his letter which said:

The act will have a profound impact on the growth of John C. Munro Hamilton International Airport. The act's one size fits all approach to airport government conflicts with Hamilton's unique and award winning public private partnership between the city of Hamilton and TradePort International, a private company operating the airport under terms of a 40 year lease. The act impedes the ability of the private operator to innovate and adapt to changing market conditions and customer needs in order to improve service and reduce costs. The act significantly erodes local control by the community—a founding principle of the Canada Airports Policy (1995).

Those are the concerns of a smaller airport like Hamilton, but what about larger airports like the Vancouver International Airport authority?

YVR is concerned that Bill C-27 would diminish Canada's reputation as a well respected source for excellent foreign international airport operators such as the Vancouver International Airport authority and its subsidiary YVR Airport Services Limited. It says that the bill would cripple or kill the ability of progressive airport managers, such as YVRAS, to compete in the international arena and provide much needed management and operator expertise to small and medium sized domestic airports. It also would negatively impact on small airports that need the type of management and operational expertise that larger airports can provide through consultant or management services in the manner that YVRAA provides through its subsidiary, YVRAS airports, to places like Kamloops, Cranbrook, Fort St. John and to more medium sized airports such as Moncton and my home town of Hamilton.

YVR says that the bill would reduce or eliminate opportunities and employment for Canadian architects, engineers, lawyers, professional advisors, designers and project managers in the field of overseas management and development of foreign airports.

• (1015)

Foreign governments are particularly attracted to the management skills of well run airports such as Vancouver. The fact that YVRAS has developed to the point that it should be able to stand on its own reputation is clouded by the views of foreign governments. They want the reputation, expertise and backup like an airport like Vancouver International can provide.

Realistically the development of these types of businesses and positive effects that it has on the Canadian economy is based on well run large Canadian airport authorities exporting reputation, expertise, technology and technical services through subsidiary airport operator management corporations and/or joint ventures.

The market for foreign airport privatization is huge. Today, while less than 5% of the world's airports are privatized, the World Bank forecasts that the operation of 150 airports will be transferred from government to the private sector within just the next few years. Several leading companies have identified airport privatization as a new strategic industry for the 21st century. This creates huge opportunities for Canadians that should not be stifled. That is the view of an airport such as Vancouver.

Devolution of airports to local control has been instrumental in the evolution of Canadian airports from money losing government run

entities into full cost recovery operations under the principle of user pay. The government's vision document "Straight Ahead" says:

Transportation policy must provide market frameworks that allow carriers and infrastructure providers to adapt, innovate, remain competitive and serve the public.

Yet Bill C-27 creates a static, inflexible governance regime. The devolution of the Hamilton airport, for example, to local ownership and management has been an overwhelming success. By 2002 the local operator, TradePort, had invested over \$25 million and attracted another \$48 million in private sector investment at our airport.

Hamilton International Airport's economic impact study completed in 2002 found that there were 1,550 direct jobs at the airport, up over 116% since TradePort took over its management.

Hamilton International Airport's direct contribution to GDP is \$170 million and that is up 129% since 1996. Its total economic output is \$410 million, up 224% over the same period. Taxes paid to three levels of government by the airport community exceed \$32 million.

In spite of all these successes, the Canada airports act includes 210 sections to micromanage the country's airports. By way of comparison, the entire Canada Transportation Act, which as we know governs rail, transit, marine and airlines, has only 280 sections.

My fear is that Bill C-27 embeds in legislation that which is normally dealt with through regulation. The bill will go before the Standing Committee on Transport shortly and I for one will be keeping an eye on this legislation.

It is quite obvious that we have a success story since deregulation. According to the airports and the airport authorities that have contacted many of us here in the House, and my particular concern is for Hamilton airport, I think demonstrates that a return from a deregulated industry of the mid-1990s to a re-regulated industry serves no useful purpose.

Again, I look forward to seeing the bill at committee stage when we conclude our second reading debate. I think it will be very important to go clause by clause through the bill and have these witnesses come before us to demonstrate to us why the government should proceed in the way it is proceeding and why we should not do everything we can possible to help the industry, not through re-regulating the industry but through those administrative practices that can encourage them to grow, to continue to grow in the fashion they are growing.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, I appreciate the comments by the member for Hamilton West very much.

*Government Orders*

As he knows, the Hamilton and Moncton airports are doing well not because the airports are managed well. They are doing well because air carriers such as WestJet are flying into them, which in turn gives them money which allows them to prosper. It is not that the management of the airports is so great that they succeed.

With that aside, the member raised a number of objections with the bill, the vast majority of which those of us in the Canadian Alliance agree with.

He is speaking against the bill, so I would assume therefore if there was a vote today that he would vote against the bill. What specific amendments must there be to the bill to prevent him from voting against it? If those amendments fail, I assume we will see the member voting against the bill?

• (1020)

**Mr. Stan Keyes:** Mr. Speaker, at first blush it worries me considerably that the Canadian Alliance Party thanks and congratulates me on the work I am doing. That troubles me somewhat.

The member spoke about the management at Hamilton airport and said that it was really the business of WestJet. If it were not for TradePort and the management at the airport, they would not be out in the marketplace luring companies like WestJet to use Hamilton as its eastern hub. They went out and made their case for Hamilton demonstrating to WestJet that Hamilton was the place for it to locate.

Quite frankly, it is not just that passenger loads have gone from some 23,000 in 1999 to last year in 2002, 385,000 passengers at Hamilton. Hamilton is an extremely important and busy centre for cargo. Hamilton airport between 10 p.m. and 5 a.m. becomes a city onto itself, with the activity going on at Purolator, UPS and all the other carriers that transport cargo.

The hon. member's direct question was whether I would stand and vote against the bill if nothing was done to it. I am going to see the glass half full. When the bill goes to the Standing Committee on Transport and we hear from witnesses and the cases they make on Bill C-27, I have every confidence that the amendments will be put to the bill that will drastically improve the bill and continue down the path that we began many years ago; that is to allow businesses to continue to do business and not let government interfere with that business.

**Mr. Loyola Hearn (St. John's West, PC):** Mr. Speaker, I agree with a lot of what the hon. member said. He made some excellent points. I would however like to ask his opinion on the privatization of airports. We have seen a lot of that over the last few years and I would say with a great amount of success. However as times get a bit tougher and we see some problems within the industry generally cuts usually have to be made. One of the flexibilities at airports, and perhaps airlines because Air Canada also has the same problem, is dealing with their employees.

Newfoundland and Labrador have small problems right now at two of its airports. Outside workers have been on prolonged strikes that are causing a lot of trouble and perhaps a loss of business. Of course it is a vicious cycle. If they lose business, they have fewer dollars.

I agree with the member that one has to look at this as the glass being half full rather than being half empty. I would like the

member's take on privatization, especially in light of what is happening in the industry, and his suggestions on how we can come through this present crisis without the workers, in particular, paying the price for it.

**Mr. Stan Keyes:** Mr. Speaker, we have already seen a demonstration of how workers understand that when times get tough, as they are with Air Canada, there will be an accommodation by the employees at airlines through their unions. The unions are sitting down with their employers and saying that they understand there is a cash crunch and an overburden of seats available and that they may have to go to smaller planes.

Then of course more specifically, the airports are affected because in many cases, especially on our Atlantic coast, many of these airports are served only by Air Canada and therefore Air Canada will have to make decisions on whether it will go into these smaller communities. It will be up to the private operators at these airports to negotiate with the airlines.

It is a threefold track.

The first is the employees and unions understand where the problems are and they are prepared to make the sacrifice or contribution to the bottom line for the survival of that small airport.

The second is the small airport itself. It too will have to do the business of ensuring that any opportunities that come along to save money are passed along not just to the airport itself but to the all important air traveller through to the airlines.

The third link to this chain of course is the government. The government has to be prepared to do its part in reducing these rents and reducing, for example, the security charge. It is the only form of transportation in this country where the passenger has to pay for security. They do not on the roads. They do not on the railways. They do not in the shipping industry. Yet we are charging air travellers. There is no consistency and that is not fair.

It is incumbent upon the government to make a decision as to whether it will, at the very least, give some kind of a reprieve to the industry, pick up the tab on security for at least a couple of years and understand that if we reduce these costs, the airports remain viable. Then they, as viable airports, can pass along savings to the airlines and the air travelling public.

The government has to play its part, the airport managers have to play their parts and the unions and airport employees play their parts. If we all play ball, we can get through this. If any one of these links in the chain breaks, or decides not to open, then of course we will not do well.

I am very confident that I see this glass as half full. I see the approach of Air Canada and how the employees are working with it to keep it viable and to keep it as our flag carrier. If we all work together, we can make this happen.

*Government Orders*

•(1025)

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, I agree with my hon. colleague from across the way that if we all work together we can improve this legislation. Certainly that is the approach the Canadian Alliance members have always had even before when we were with the Reform Party of Canada.

Unfortunately, all too often we have seen government committee members get their marching orders. The whip is cracked and very worthwhile amendments, regardless of whether they are put forward by members of the government, like the hon. member who just spoke, or opposition members from whichever party, are voted down. Because of party discipline, we do not get the opportunity to work together to improve the legislation in this place.

That aside, I want to ask the hon. member a question. He referred to YVR in Vancouver and the airport operating authority that runs the Vancouver airport. He questioned any need to re-regulate that which is contained in the act. I have some concerns in that regard.

I have raised a number of times in the past the free hand that was given to the airport operating authorities. In many cases these airport operating authorities are held quite accountable by the boards that oversee their operations. However in other cases some of the business decisions they make are certainly questionable.

In particular I call into question ongoing airport improvement fees that are charged at airports like Vancouver, while at the same time they are making decisions to invest offshore. Specifically, the authority that runs the airport in Bermuda receives investment dollars from Vancouver.

Would the hon. member agree that this is an area which needs addressing? We need to study it at committee and possibly look at some better control or accountability for airport operating authorities that continue to charge airport improvement fees to passengers which are obviously over and above what is necessary to operate that particular airport because the money is going out of the country.

•(1030)

**Mr. Stan Keyes:** Mr. Speaker, when it comes to legislation, the hon. member refers to the government whip and the cracking of the whip, et cetera. I am very fortunate that when I was elected in 1988 in opposition I worked on the transport committee. Pat Nowlan was the chair, as our Speaker would recall. We had a great working relationship.

Then, of course, we became the government in 1993. Very specifically, the Hon. Doug Young as minister of transport worked with me as chair and the then member for London East as the parliamentary secretary. Privatizing CN, commercializing air navigation services, and commercializing our ports and harbours all took place in just a three year period.

Does the member not know that during that those three years, although nothing was perfect, there were many amendments brought forward and we all worked together as a unit and very much was accomplished on all those fronts? We as the government are very proud to have achieved what we achieved in cooperation with the opposition.

When it comes to relationships between YVR and offshore, that is what the business of these airports is. I invite the hon. member to do a little homework, because that is what the airports are saying. They are saying they need that opportunity to export their expertise. They are making money by doing this. It is not costing the YVR or the government a dime. They are making money by making these investments overseas at different airports and selling their technology and expertise.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, I would like to comment briefly on the previous speech. Unregulated monopolies that are imposing airport improvement fees without the consultation of air carriers or the communities are not a good idea, or an idea that needs to be exported anywhere. In fact, unregulated monopolies are generally not a good idea.

I rise to participate in the debate on Bill C-27, an act respecting airport authorities and other airport operators and amending other acts, otherwise known as the Canada airports act. In just the past couple of weeks I can think of various transport related priorities and priority actions that this Parliament has called on the Liberal government to implement. In fact, one only need go back to the last day of the House sitting just before the Easter break, on April 11, when the Standing Committee on Transport tabled our unanimous report, "An Industry in Crisis: Safeguarding the Viability of the Canadian Airline Industry".

Our standing committee heard witnesses, read reports and then made four specific recommendations to the House and to the Liberal government. Three of them could be implemented immediately without any need to impose new legislation. It could be done in regulations with the stroke of a pen by the Liberal cabinet. Recommendation 2 was that, and I quote:

The federal government eliminate the Air Travellers Security Charge.

Recommendation 3 stated:

The federal government suspend rental payments by airports for a two-year period and the airports shall pass the rental savings on to air carriers.

Recommendation 4 stated:

The federal government, for a two-year period, reduce by 50% the federal aviation fuel excise tax rate.

There are three things that need to be said about these recommendations. First, they were unanimous. They were supported by all five political parties in the House. Second, they are clear and they are unambiguous. There is no doubt whatsoever as to their meaning, their intent and their consequence. Third, they can be implemented today without passing any new legislation.

These changes are what virtually every industry stakeholder, from Air Canada to its competitors and from the travel industry to various unions have been demanding from the government for well over a year. The government's complete unwillingness to take concrete action to solve the problems affecting the airline industry is both baffling and astounding. It is also, given the number of jobs involved in both the airline and tourism sectors, somewhat tragic.

*Government Orders*

We have all heard the expression, “rearranging the deck chairs on the *Titanic*”. It is meant to apply to a situation where those in control do nothing substantial to remedy the situation but then take some superficial action so that it cannot be charged against them that they did not take any kind of action at all.

The airline industry is in trouble and the House Standing Committee on Transport sought and received the industry's advice as to what constructive steps this Liberal government might take. The committee then unanimously adopted recommendations and forwarded them to the government. However, the Liberal Minister of Transport does not want to do anything substantial to help the airline industry and he does not want to be seen to be doing nothing, so he has introduced the bill that we are debating today, Bill C-27, the Canada airports act. Truly, he is rearranging the deck chairs on the *Titanic*.

Even if we were to consider only the government's policy with respect to airports, the Canada airports act fails to address some of the more important issues facing airports. As a member of Parliament, the single most common airport related concern that I receive is related to an issue known as CARs 308, a recently imposed five minute emergency response time at smaller airports that has dramatically increased the operating costs for smaller airports. The federal government has not offered a dime in operating assistance. This unfunded federal government mandate is a requirement and it is the biggest single issue facing many small airports. It is completely absent in this bill we are debating today. It is the number one concern. It is what we hear most about and it is not in this bill.

The second biggest issue that many of us face is trying to meet new and heightened security standards while understanding that small airports are often the weakest link in the security system. Other countries such as Germany, England and France, with more experience in dealing with terrorists at airports, require arriving passengers from certain destinations to go through security screening upon arrival before proceeding to connecting flights. Essentially, these passengers arrive in a non-secure part of the larger airport and must proceed through security screening in order to get into the secure portions of the airport.

Such a system in Canada would allow for passengers departing smaller centres on small aircraft to go through security only if they were connecting to a major centre. The Europeans use this system because it costs less and offers the type of security they have needed in the past to fight organizations like the IRA, the ETA and the Baader-Meinhof group. Nowhere is this idea found in Bill C-27, the Canada airports act.

• (1035)

I know that the Canada airports act deals only with larger airports. Nonetheless, if the average member of Parliament is getting mail on small airports and the Liberal government introduces a bill dealing with big airports, there are some who would say that the government is really not listening to Canadians. We certainly have a transport minister who does not listen to the transportation sector.

We have a Liberal administration that has ignored the Standing Committee on Transport's unanimous recommendations on how to help the airline industry. We have a Minister of Transport who has

chosen to ignore Canada's single biggest airport related issue when telling his department what issues he wants them to address. He has ignored CARs 308.

Then, and this is the best part, we have a Minister of Transport who has introduced a Canada airports act that is at best totally unnecessary and at worst a huge step backward.

When we talk to the airline industry, the airport operators and the flying public, we find a general acceptance of the way that airports are being run. Of course there are a few problems, but no one has yet contacted my office and said that there is something wrong with the airports which must be addressed rapidly and we need a new law to deal with them and we have to get this done. We just do not hear that from Canadians, yet that is precisely what we have here in this legislation.

Every law that a government tables presumably is aimed at solving a particular problem. Thus, every act has a summary of the ways in which it would improve the status quo or remedy a particular wrong. In analyzing the Canada airports act, it is instructive to look for the motivation. The national airports policy laid out in section 7 of the Canada airports act calls for a “national network of airports in Canada” that are operated in a consistent manner. Essentially, Bill C-27 believes that all airports in our “national network” should be run in a similar way.

The logical problem with this approach becomes readily apparent when one realizes that the scheme would apply equally to both Gander airport, which handled 86,000 passengers in 2000, and Toronto's Pearson airport, which served 28 million passengers. For every person who goes through Gander, 325 will go through Toronto. In fact, with 17,000 people working at Toronto international airport, Toronto has about one-fifth as many staff as Gander has annual passengers. Yet under Bill C-27, both would face similar obligations and regulations.

*Government Orders*

To the extent that Bill C-27 is aimed at providing a one size fits all solution for a huge range of airports, this is not only a bad idea but also a solution for a problem that simply does not exist. In fact, the bill provides for two very different regimes. One regime, described in parts 2, 3 and 4 of Bill C-27, applies only to the following 18 former Transport Canada operated airports: Charlottetown, Fredericton, Gander, Halifax, London, Moncton, Montreal, Ottawa, Prince George, Quebec, Regina, Saskatoon, St. John's, Thunder Bay, Toronto, Vancouver, Winnipeg and Victoria. Another regime applies to all Canadian airports that have had an average of 200,000 emplaned and deplaned passengers over the last three years. Right away we realize that Gander does not reach the 200,000 threshold, so we might think that the Canada airports act would not apply to Gander. But because Gander was a major international airport a few years ago, it is not only covered by the act but by the same standards that are currently applied and would be applied under Bill C-27 to Toronto's Pearson airport and Vancouver.

We see similar problems when we compare Thunder Bay and Hamilton, both of which served roughly 550,000 passengers in the year 2001. Bill C-27 would hold Thunder Bay, a former Transport Canada facility, to a higher standard than Hamilton, WestJet's eastern hub. Thus, 84 of Bill C-27's 215 sections do not apply to Abbotsford, Kelowna or Hamilton, all of which have non-stop service to cities at other ends of the country, but they do apply to smaller airports simply because these airports were formerly owned by Transport Canada.

Prior to the introduction of Bill C-27, Canadians were not overly concerned about the poor management of our nation's airports. So Bill C-27, by imposing a one size fits all regime, fixes problems that did not exist and creates a whole new bunch of problems by treating different airports similarly and similar airports differently.

All this leaves one asking what grave problem Bill C-27 was meant to solve. Given that parts 2, 3 and 4 dealing with airport authorities' legal status, corporate governance and obligations do not apply to places like Abbotsford, Kelowna and Hamilton or, for the moment, Edmonton or Calgary, it does not seem likely that issues such as corporate governance motivated the minister to table this bill.

•(1040)

Part 1 is one of four parts of Bill C-27 and would apply to all airports. In it we find clause 18. Subclause 18(1) reads as follows:

- (1) Airport operators of airports serving international traffic must
  - (a) display the national flag of Canada, and erect signs welcoming passengers to Canada, in prominent places for arriving international passengers; and
  - (b) display the national flag of Canada at other prominent places on the airport.

We have the federal government mandating that there be flags in the airports. A pre-eminent concern for the state.

In my reading of Bill C-27 and the 1992 Airport Transfer (Miscellaneous Matters) Act, which is the act that started the process of handing over airports to airport authorities, this flag portion is one of the few clauses that is really new. It would almost seem to go without saying that the Canadian flag should be at Canadian airports, but surely this does not require legislation.

The Aéroports de Montréal website does not have either the Canadian or Quebec flags on it and neither does much of its printed material. However, there is a big Canadian flag on display greeting arriving passengers in English and in French together with a similar Quebec flag displaying a greeting for arriving passengers in French. Both of these were operational on Thursday, April 24, 2003.

If an airport is not more enthusiastic in its use of flags, that is not a problem. I do not believe that we can legislate patriotism, but apparently that is a pre-eminent preoccupation of the government. We have 35,000 Air Canada employees who could be completely out of work. We have airport authorities taxing Canadians. We have an air traveller security charge. We have a depression in the number of people flying. We have SARS and the government says that we need to mandate flags in airports.

The same kind of thinking can be found in part 4, clause 116 in the requirement of an airport authority to prominently display the Canadian flag. Subclause 116(1) reads:

- (1) Every airport authority must
  - (a) display the national flag of Canada prominently at every air terminal building and at other places on the airport to which the public has access; and
  - (b) erect signs in prominent places at the entrance to the airport and to every air terminal building, proclaiming that the airport is owned by the Government of Canada.
- (2) The Governor in Council may make regulations prescribing the locations of, dimensions of, and manner of displaying and erecting signs and displaying flags at their airport, and prescribing the contents of the signs.

However, clause 116 goes further than clause 18 in requiring the airport authorities to erect signs saying that the airport is owned by the Government of Canada. If the government believes that the ownership of buildings occupied by tenants have a higher profile, I would suggest it would begin by posting large "This building is owned by (blank)" signs on all Ottawa buildings that the federal government rents.

Curiously, clause 191 and 192 prescribe fines, a fine of up to \$100,000 for every day an offence is committed. Therefore, if Bill C-27 passes, the airports better call the flag and sign folks rather quickly.

Clauses 16 and 118 are essentially silly, but at least one industry source has told my office that he believes this is the primary motivation for Bill C-27 as there were no calls by either the airlines or airports or the public to codify the status quo with a flawed one size fits all regime.

To the extent that one might tend to support Bill C-27, because of a desire to wave the flag, it is important to understand that any potential benefit to flag visibility would be more than outweighed by the flawed one size fits all regime of Bill C-27. This not only forces different airports to a common standard, but it also treats similarly sized former Transport Canada facilities and municipal airports differently. This is not just a flaw in Bill C-27. It has a serious commercial impact on airport authorities.



*Government Orders*

For example, clause 57 would limit an airport authority's ability to invest in another corporation to just 2% of gross revenues per year. The Vancouver airport authority, YVR, which owns the profitable YVR airport services, YVRAS, is concerned that this clause would limit its ability to finance YVRAS's projects in Chile, Jamaica or Hamilton. YVR writes:

...investment opportunities do not come in neat bundles, nor do they arise every year. (This) is also a demonstration of an "Ottawa knows better" (idea) than the community based board about what is good for the community (and the airport).

● (1045)

YVRAS operates 12 airports in five countries and competes against management subsidiaries run by Amsterdam Schiphol and London Heathrow. This is partially in response to page 49 of Transport Canada's national airports policy of July 1994 which talked of contributing "to the future competitiveness of Canada worldwide". More recently federal cabinet ministers have promoted YVRAS's bids in other countries. Section 57 is a major reversal in Canadian airport policy.

However, the dual regime proposed by Bill C-27 makes section 57 doubly unfair because it would apply to airports like Vancouver but not nearby competitors such as Kelowna and Abbotsford.

Another case of uneven treatment of Bill C-27 is the way it deals with corporate governance. Airlines have been contacting my office to ensure that they will play a greater role in influencing terminal design in order to reduce costs and possibly opulence.

Section 64 requires that the board must collectively have experience in "law, engineering, accounting, management in the air carrier industry", but there is no specific requirement for the board to have a single representative from the airline industry or general aviation at all.

This is in stark contrast to Nav Canada, the private company that handles air traffic control in Canada. Given the ability of airport authorities to impose greater fees and passenger fees as well as seize certain aircraft, the lack of mandatory aviation industry representation is a fatal flaw of Bill C-27. Although section 97 requires the airport authority to meet with carriers once a year, this is a poor substitute for specific tangible power in terms of board representation.

I am not necessarily arguing for the Nav Canada model, but there should be room on the board of 15 people who run a major airport for at least one of those people to be named specifically by the airline industry. Like section 57, section 64 only applies to former Transport Canada facilities, so the board of directors at Thunder Bay must follow the requirements of Bill C-27. But Hamilton, which is growing more quickly, can follow its own independent bylaws.

Another clause that only applies to former Transport Canada facilities and that clearly shows the shaky ethical grasp of the Liberal government is section 96. It reads:

96(1) An airport authority must disclose any contracts involving expenditures in excess of \$100,000 that were not awarded under a public bid solicitation process, the name of the contracting party, the purpose and value of the contract and the reasons why a public bid solicitation process was not followed.

Section 96 does not require a tender process for any project under \$100,000. Worse, it also exempts larger projects from the tender process as long as the airport authority discloses that no bids were

solicited for that project. Potentially, everything from truck purchases to consulting contracts could involve favoured, non-arm's length suppliers.

When we realize that just last October Transport Canada was looking into millions of dollars of untendered, non-arm's length contracts and questionable dealings connected with the Port of Digby, we would think that the government would apply higher standards to airport authorities. When we realize that the government wants to oblige 100% of airports to display the Canadian flag, but it is willing to let an airport authority hand \$99,000 in contracts to its friends with no problem, we see an Alfonso Gagliano-type politics at work in the bill. Surely Canadians deserve better.

In closing, Bill C-27 is a dramatic failure on the part of the government. There are smaller airports that are struggling. We have a SARS problem, depressed consumer confidence, shaky fuel prices, an airport security tax that is unanimously opposed by every single stakeholder in the transport community, and constant problems in the airline industry, some 35,000 people whose jobs may be potentially lost at Air Canada.

The airline industry in Canada is in precarious times right now and the government puts forward Bill C-27 which does nothing to address any of the substantively crumbling pillars of Canada's airline industry. It is a bad bill. It is poorly written with non-priorities. It is rearranging the deck chairs on the *Titanic* by a Liberal transport minister who has shown zero leadership. Eight air carriers died in the six years that he has been transport minister. He has been a complete failure with regard to the air industry. With Bill C-27, we see that he has learned nothing from his mistakes.

● (1050)

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I appreciate the work that my colleague from British Columbia has done in this particular portfolio. He seems to have an uncanny ability to identify errors in legislation and errors in the things that the Liberal government is planning. I would simply commend him for the tremendously good hard work that he has done.

I have a question for him which deserves a little further exploration, and it is with respect to the success of WestJet. Would he expand on the fact that Hamilton has had such a massive increase in passenger load and the fact that WestJet has somehow been able to survive the tumult, turmoil, and turbulence of the air industry in the last several years?

*Government Orders*

**Mr. James Moore:** Mr. Speaker, WestJet has not only managed to survive, but has managed to thrive for a number of reasons. Chief among them is because it is a well managed and well operated company that is interested in making a profit rather than securing market share.

The dominant problem with Air Canada, with its current financial problems at least as I see it, is that it has been obsessed with gathering market share regardless of its costs to its bottom line. It was more interested in garnering market share because in the long term the financial worth of having a substantive network of a hub and spoke model imposed on a G-8 country with very little competition was an asset that was worth mortgaging over time by flying three quarter empty planes on routes and cannibalizing its own capacity on routes in order to squeeze its competitors out of business.

WestJet is a true Canadian success story. As a western Canadian I like to say a true western Canadian success story. It is a well managed and well operated company. Clive Beddoe certainly deserves all the praise that he got from all observers for managing an airline efficiently and well. His company has grown exponentially over the last few years, but even though it is growing exponentially, he is growing it in a prudent, well managed, and reasonable way with measured responses to measured market forces and taking calculated risks. He is growing his company in an effective way.

It is worth knowing that while we do have all these crises in the air industry, the reality is that there are air carriers out there that are making a profit. JetBlue last week announced a profit in the United States. The United States has huge problems with United and American Airlines, Delta and others, but JetBlue just announced that it is making a profit. Ryanair Ireland and Southwest in the United States are still profitable. WestJet is still profitable. There is a real tectonic shift in the airline industry and certain air carriers that have learned the lessons of how one operates in a free market by providing reasonable products to people who are willing to reasonably pay for them can succeed. WestJet has shown that it can succeed.

The federal Liberal government needs to listen to companies that know how to build in the air industry, in the new era of air carriers and impose government policies that allow airlines to succeed, thrive, and grow in the new environment. WestJet has done it and the fact that the government takes policies that do not allow other air carriers to continue to grow in our environment along with WestJet is a tragedy. Eight air carriers have died in the past six years that we have had our current Liberal transport minister. I understand he will not be transport minister for very long. I know people are happy about that.

• (1055)

**Mr. John Williams (St. Albert, Canadian Alliance):** Mr. Speaker, I was taken aback by the comment that eight airlines have died under the leadership, or lack thereof, of the Minister of Transport.

As we seem to be coming to the end of an era where the Prime Minister is talking about leaving some kind of legacy, it seems to me that this is not the type of legacy he should be leaving, but it seems to be the type of legacy that he is leaving.

I would like the member to comment on what this is saying about leadership we have not enjoyed but had over the last number of years. Does he see any changes if the member for LaSalle—Émard becomes the Prime Minister? Can we expect anything better under his leadership?

**Mr. James Moore:** Mr. Speaker, my colleague from St. Albert is exactly right. It is a pretty grim track record of the Liberal government specifically with the air transportation policy. Eight air carriers have died in the past six years.

Will the world be different if the former Liberal finance minister, the member for LaSalle—Émard, who is doing his focus group town hall meetings, becomes prime minister? The answer is no.

The worst thing that happened to the air industry in terms of government policy happened in December 2001. After September 11 there was a nosedive in consumer confidence. The first air transport policy response, the typical Liberal response to the drop in consumer confidence was to raise the cost of flying. The government imposed the \$24 air tax in the December 2001 budget after the September 11 terrorist attacks. This tax was to be imposed on April Fool's Day 2002.

The air tax was the largest tax increase in the final budget of the former finance minister. His response to the crisis in the air industry after September 11 was to impose the largest tax increase in his final budget, the \$24 air tax, which has devastated small air carriers, has further suppressed consumer confidence and continues to hammer the air industry. It is something for which he and the Liberal government should feel ashamed.

The supposedly fiscally conservative former Liberal finance minister's actions speak louder than his words. The air industry was struggling and he gave it a swift kick in the stomach while it was trying to catch its breath from having the wind knocked out of it on September 11. He learned nothing and listened to nobody. He did not listen to the transport committee when he was the minister of finance. He was a failure in terms of the air industry. If he becomes the prime minister of Canada, I expect him to continue his pristine record of arrogance and ignorance with regard to the air industry.

**Mr. Greg Thompson (New Brunswick Southwest, PC):** Mr. Speaker, a couple of months ago I met with Mr. John Buchanan, the chief executive officer of the Saint John airport. He suggested that we should take a careful look at Bill C-27. He has some pretty strong concerns about the bill and its impact on small airports to comply with the legislation. He suggested that the Saint John airport is only one crisis away from a critical stage. It is not only at the Saint John airport but at Moncton and Fredericton, New Brunswick as well.

I am quite familiar with the Saint John airport and the Fredericton airport, which are of equal distance from my home. I have a choice as to which one I use when I travel. Bill C-27 will place a huge imposition on those airports and their ability to meet the bottom line.

I would like the member's response to that. He has taken the minister to task on some of the provisions and fees that have been imposed arbitrarily on the airports by the Government of Canada. Could the member reference some of that and the future of some of the airports?

*Government Orders*

•(1100)

**Mr. James Moore:** Mr. Speaker, I appreciate the question from my colleague from New Brunswick. Being from New Brunswick these are trying times.

An interesting thing happened at Miramichi airport in New Brunswick. When the former Liberal finance minister imposed the \$24 air tax, the Liberals had a list of approximately 80 airports to which it would apply. Being members of the Canadian Alliance, we believe in smaller taxes, less government and more freedom. We enumerated all 80 airports and offered 80 amendments taking each and every single airport off the list. This forced Liberal members on the committee to vote in favour of taxing each individual airport.

We suggested to the Liberals that Miramichi airport be taken off the list of airports required to impose the \$24 air tax. The Liberals said they thought it should be left on the list. We mentioned that it was actually a dead airport, that there was no jet service into it. Hearing this they agreed to take it off the list. However they amended our amendment and put in a caveat stating that if Miramichi airport did resume daily jet service they reserved the right to reimpose the \$24 air tax.

The policy of the Liberals is only if an airport is actually dead will they remove the air tax. Only if the government actually kills an airport in terms of its ability to provide competitive service will it take its foot off its throat in terms of its tax increases.

CARs 308 is another tax, the five minute response time. It is an unfunded mandate by the Liberal government on air carriers.

There are examples all over the place. The Liberals are absolutely blind in terms of the cost to airports. They have shown through Bill C-27 that they have learned nothing from their constantly failing record on the air industry.

\* \* \*

**BUSINESS OF THE HOUSE**

**Mr. Stan Keyes (Hamilton West, Lib.):** Mr. Speaker, I rise on a point of order. There have been discussions between the parties and I believe if you would seek it you would find consent for the following motion:

That when the House begins proceedings under the provisions of Standing Order 52 later this day, no quorum calls, requests for unanimous consent nor dilatory motions shall be entertained by the Speaker after 9 p.m.

**The Deputy Speaker:** Does the hon. member for Hamilton West have the consent of the House to propose the motion?

**Some hon. members:** Agreed.

**The Deputy Speaker:** The House has heard the terms of the motion. Does the House give its consent to the motion?

**Some hon. members:** Agreed.

\* \* \*

**CANADA AIRPORTS ACT**

The House resumed consideration of the motion that Bill C-27, An Act respecting airport authorities and other airport operators and

amending other Acts, be read the second time and referred to a committee.

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, it is a pleasure for me to rise in the debate on Bill C-27, the Canada airports act, brought forward by the Minister of Transport and the Liberal government.

At the outset of my remarks I want to congratulate, as some of my other colleagues have done, the great work of my colleague the member for Port Moody—Coquitlam—Port Coquitlam as our transport critic. He has done an admirable job in dissecting the inadequacies of Bill C-27, as he has done with many pieces of legislation the government has brought forward in the transport sector specifically. He is certainly a great asset to our party, the Canadian Alliance, and is a great representative of his riding in Vancouver.

I will begin my remarks by reading into the record a letter I recently received from the Prince George Airport Authority. It is one of the airport authorities that will be impacted directly by Bill C-27, the new Canada airports act.

I was encouraged to note that members such as the Liberal member for Hamilton West during his remarks of about an hour ago raised considerable concerns with Bill C-27. I hope that is indicative of the open-mindedness of a lot of Liberal members of Parliament and hopefully the members who sit on the Standing Committee for Transport.

When the bill actually goes before the transport committee, I hope we will see some substantive amendments to address the concerns that we hear in this chamber echoed not just in western Canada by Canadian Alliance MPs but indeed by Liberal MPs representing many of the ridings in Ontario and also by the Conservative members. Indeed the Progressive Conservative member from New Brunswick who just spoke during questions and comments raised concerns about airports there as well.

Clearly we can see that concern about the legislation is not something confined just to western Canada. It is something that goes coast to coast to coast in Canada.

As well as congratulating my colleague from Port Moody—Coquitlam—Port Coquitlam, I want to indicate that I will be splitting my time in the debate with my hon. colleague the member for Kamloops, Thompson and Highland Valleys.

I want to read into the record a letter that I received from the Prince George Airport Authority which directly concerns Bill C-27. It was written on April 10, so it is obviously hot off the presses as it were:

The impact of air transportation on Canada's economy and our quality of life is significant. When the viability of the air transportation system is threatened—as it is today—the consequences for Canada are enormous.

Air Canada's filing under the Companies' Creditors Arrangement Act (CCAA) demonstrates the depth of the crisis facing the air transport industry and those that depend on it. Much more is at stake, however, than the future of a single company.

### Government Orders

Air Canada's restructuring combined with the impact of SARS and the war in Iraq has created an environment where many airports—both small and large—are at risk. These difficulties have combined to generate a 20% reduction in traffic. If reduced traffic numbers continue, most airport authorities will reluctantly have little option but to increase fees charged to tenants, including airlines. The impact on smaller airport communities where Air Canada is the primary or sole carrier will be the most severe.

Airport managements have consistently reduced controllable costs and eliminated non-value added tasks. There is little residual fat. Even so reduced passenger volumes combined with an imminent and significant reduction in Air Canada frequencies mean that airports must seek to further lower costs to minimize consequential increases in fees and charges to airlines and airport users. Without federal government action to remove the significant costs it creates for this mode of transportation—costs many times higher than any other mode—there will be unfortunate consequences.

● (1105)

In the current environment it is also essential that the federal government does not increase the burden on the industry by introducing legislative or regulatory burdens that will compound the problems for little or no return. Before the Canada Airports Act or further regulation is introduced, a comprehensive regulatory impact and cost-benefit analysis must be completed. Any proposed legislative or regulatory changes have to be viewed in the broader context of the viability of the aviation industry.

We call on the federal government to stop treating air transportation as significant contributors to general revenues and take immediate and effective action to stabilize the industry by:

- a) Implementing an immediate moratorium on federal airport rents—which constitute the largest uncontrollable cost for most major airports—while the current rent review is finalized;
- b) Recognize that unlike other travellers, air travellers are required to pay for security. To reduce intermodal discrepancies the federal government must:
  - i. Suspend the air travellers security tax;
  - ii. Fully fund the cost of additional policing and security imposed by federal regulation;
- c) Fully fund the ACAP program and make these capital funds available to airports with one million passengers or less [in other words, smaller airports];
- d) Create a stabilization fund for smaller airports to mitigate the short term impacts of service dislocation; and
- e) Reduce regulatory burden.

The purpose of these actions when combined should be to provide security and reassurance to our passengers, tenants, lenders and communities that the long term future of air transportation in Canada is assured.

We stand ready to work with the federal government and parliamentarians to find solutions for these unprecedented difficulties.

That letter was addressed to me from the Prince George Airport Authority Inc. and was signed by Jim Blake, the chair of the airport operating board for that airport.

I also have a letter from TradePort International Corporation. That is the organization that is in partnership to operate the Hamilton airport. I will read a couple of segments from that letter which was sent to me by Tony F. Battaglia, president and CEO of TradePort International Corporation. Mr. Battaglia wrote:

The airline industry is in crisis. The impacts of 9/11 and the war on terrorism; the current war in Iraq; and a developing epidemic known as SARS have led to a 20% reduction in air traffic. Air Canada's restructuring will have a dramatic impact on smaller airport communities across the country where Air Canada is the dominant or sole air carrier. Airports must adjust to the new realities of air travel. Reduced frequencies and withdrawals of service mean that airports will have to reduce costs in order to minimize impacts on airlines and air travellers.

Mr. Battaglia went on to state:

Blindly advancing this gratuitous legislation may bring irreparable harm to Canada's smaller airports [such as Hamilton]; there are other alternatives. We suggest the following:

Phased implementation of the act with Canada's schedule II airports exempt from its provisions until three years after its proclamation.

Schedule II airports would have three years to file with the Minister of Transportation an operating model that satisfies the act's governing principles of transparency and accountability.

As operators of the John C. Munro Hamilton International Airport, we stand willing to work with the federal government and parliamentarians to find solutions that meet the needs of the government, the aviation industry, and air travellers.

Unfortunately, I have just had time in my short remarks today to cite two examples. One is the Prince George airport authority in my riding of Prince George—Peace River where that airport has some serious concerns with Bill C-27. The other is across the country some 3,000 miles away in Hamilton. Some of the same concerns are being echoed by the airport operating authority in Hamilton.

I would have liked to have had more time to go on at some length. As my colleague from Port Moody—Coquitlam—Port Coquitlam said in his remarks, one of the biggest things of concern to me as a member of Parliament for a large rural riding that has a number of airports, and specifically, Fort St. John and Dawson Creek that are impacted by things like CARs 308, is that this civil air regulation that is being brought forward by the Minister of Transport is going to do irreparable damage to the small and medium size airports in western Canada in particular.

● (1110)

We are raising that issue because that is not contained in Bill C-27, as my colleague has said. As our transport critic he has raised the issue repeatedly. I have raised it. Other colleagues have raised the issue of CARs 308. The imposition of firefighting and crash rescue will do irreparable damage if and when those airports have to pick up all the costs.

Since it is the federal government that will be re-imposing those regulations on the small airports, we are in favour of the the federal government paying the costs.

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Mr. Speaker, the proposed act is federal government at its worst. It is centrist, an Ottawa empire builder's dream and a nightmare for the rest of the country. This is an ill-advised attempt to codify the status quo and apply a one size fits all regulatory regime to Canada's airports. It is doomed to failure while dooming some airports to potential bankruptcy.

*Government Orders*

It will fail massively on two counts. First, one size fits all is not the way to deal with airports ranging in size from Gander, for instance, which handled 86,000 passengers in 2000, to Toronto which served over 28 million passengers. Are the Liberals saying that the airport in my city of Kamloops is the same as Toronto? If they are, I have news for them. Kamloops is not Toronto, nor does Kamloops want to be Toronto. There is no room in our valley for an airport or population of that size. A Liberal may not appreciate or even care about that kind of thinking when drafting legislation but the values that rural-urban populations appreciate should not exclude them from equality and equal consideration when it comes to transportation needs.

The second problem with the bill is that some parts of the it would apply only to former Transport Canada facilities. The legislation would apply standards to Thunder Bay that do not apply to, for instance, Hamilton, even though both of those airports served roughly 550,000 passengers in the year 2001.

We do not have to wait for the weather to create fog because the legislation is as foggy as anything we are ever likely to see. The Liberals declare that the legislation would create a national airports policy. Perhaps, but at what cost and who benefits?

There are four glaring weaknesses readily apparent in the legislation. First, it fails to deal with the unfounded mandate which holds small airports to higher response time standards than when they received the airports from Transport Canada. Does this mean there are two sets of rules, one set when the government manages and another for non-government management? Or should I say that when Liberals manage, expectations are lowered but when others manage expectations are raised? Is that the philosophy at work here?

Is the legislation saying that when federal bureaucrats manage we should not expect high standards but when we turn it over to somebody else to manage we should demand the highest possible standards?

Second, the legislation also ignores an airport rent policy that lets the federal Liberal government gouge the life out of airport operators who improve their facilities. This is not fair. I will give an example. When Winnipeg International Airport was handed over to the Winnipeg airport authority in 1997 the annual rent was \$900,000. That seemed a reasonable amount at the time. After the Winnipeg airport authority made vast improvements, the federal Liberal government demanded that as of 2007 the annual rent would be raised—and I hope everyone is listening because this is a huge jump—to \$7 million. That is outrageous.

That is like tenants painting a wall in their apartment and then the landlord demanding a huge increase in rent because the tenants made an apparent improvement in the apartment and made it more attractive.

The Liberals are reaping unconscionable profits from airports across the country, much as they are from the security tax they imposed after 9/11. It should be obvious by now to even the doziest Canadian that the Liberals live for only one thing, revenue, and the more of it the better because it can be doled out in exchange for votes.

Why is there nothing in here to allow airlines to influence terminal design to reduce operating costs? Is it because lower costs bring lower GST revenues? That is the third weakness in the legislation but there are many more.

Fourth, why is there nothing in the legislation to allow the Minister of Transport to intervene in situations like the dispute last year between the Greater Toronto Airports Authority and Canada's wireless telephone companies? The GTAA unilaterally disconnected cellular phone company antennas on airport property leaving thousands of cellphone users without service.

Perhaps we should look at both sides in the dispute. The airport authorities are being gouged by the Liberals in Ottawa and have to look at every possible source of revenue to meet Liberal demands. To stay afloat they look at every possible source of income. It is Liberal greed and lust for revenue that creates these kinds of problems. How could it be otherwise when rents jump from under \$1 million a year to \$7 million in a few short years?

• (1115)

Is there a secret bonus plan for Liberals or bureaucrats who come up with ways to gouge even more cash out of taxpayers?

If people like big brother they will love the way the Liberals plan to wave the maple leaf. Every airport will be required to prominently display the flag of Canada:

at every terminal building and at other places...to which the public has access; and

erect signs in prominent places at the entrance to the airport and to every terminal building, proclaiming that the airport is owned by the Government of Canada

What that would do is lull travellers into thinking that Ottawa's contribution is much bigger than it actually is. Airport improvement fees are blamed on the local authority while Ottawa takes credit for something other than being a mere landlord, gouging for every possible dollar.

Every Canadian flies our flag with pride so the question must be asked, why do the Liberals insist that the flag must be displayed at airports? One of the few clauses in the legislation that applies to all airports is the requirement that the flag must be flown. Why did the government go to such lengths over such a simple thing and leave out such important detail?

Will the government next insist that portraits of the member for LaSalle—Émard be displayed on every wall at every airport from coast to coast? Is that how Canada Steamship Lines does it?

Another concern is that while the Liberals see large urban airports as cash cows to finance such boondoggles as the gun registry, it has orphaned regional airports. The smaller airports, perhaps my own local airport in Kamloops, have been left to struggle to maintain services with little or no support from Ottawa. Is that what the Liberals call a national airports policy?

*Government Orders*

The legislation would have a huge negative impact on Vancouver International's long term planning and growth. Any downturn or economic hardship suffered by this major entry point could seriously affect 26,000 jobs directly related to the operation of Vancouver International. That could have dire consequences for my province's bid for the 2010 Olympic Games and impact the national economic indicator.

As Vancouver International faces a struggle coping with the new legislation, there are potential calamities for Kamloops. Vancouver International manages Kamloops Fulton Field. If national airports are hit with tough legislation and rules of operation, we can bet that it will trickle down to the operations they manage, including Kamloops Fulton Field. That airport is an economic lifeline that we need for economic development, tourism, medical evacuation, firefighting and the list goes on and on.

Can it be that nobody in the bureaucracy has stopped to think about the cause and effect of their one size fits all formula? How can the Liberals call this a national plan when it does not address the concerns of the smaller and medium size airports, many of which service populations that are dependent upon them remaining open?

Liberals and their bureaucrats do not seem to realize that in British Columbia there are communities that are 10 hours apart by motor vehicle. The legislation shows utter disregard and lack of concern for people who live more than two hours away from the hub of their very cloistered world.

Another problem with the bill is that it would limit an airport authority's to invest in another corporation to 2% of gross revenue per year. The Vancouver airport authority, called YVR, owns the very profitable YVR Airport Services. YVR's concern in this legislation limits its ability to invest in projects in Chile, Jamaica or Hamilton, yet clause 57 does not put the same limits or restriction on airports such as the one in Kelowna or Abbotsford. Why the Liberal double standard?

We know the Liberals embrace double standards. They have always said that Canadians should never do as Liberals do but do what Liberals tell them to do.

Canadians are tired of double standards and doublespeak. They are tired of Liberals saying that only they know what is best for every nook and cranny in Canada and for every individual Canadian and every Canadian airport.

The legislation is flawed from the get-go. It is a guarantee of future confusion, of future rancour and conflict. We should think about this: nearly every session the House is called upon to pass amendments to the Criminal Code and other legislation. Most of the time those amendments are approved by all parties and allowed to pass. It does underline the fact that even Liberals admit that sometimes mistakes are made and need to be corrected by legislative amendment. However it begs the question, if the Liberals have to do this annually with insignificant matters, how many big mistakes do they ignore rather than admit they were wrong?

● (1120)

The legislation, if passed, will be back before Parliament in the not too distant future. This has the potential to be as great a boondoggle as the gun registry. It has the potential for extremely

negative economic impacts on airports from coast to coast to coast. It is a demonstration of the unfortunate philosophy that pervades Ottawa, and that is that Ottawa knows best.

The fact is that Ottawa does not know best. Ottawa never did and never will know what is best for every region and every individual in Canada. The sooner the Liberals rid themselves of that belief the better off Canada will be.

The sooner the Liberals and their bureaucrats admit that this is flawed legislation, the better off we will be and the better the future will look for all Canadian airports. The legislation is not worthy of the support of even the most disciplined Liberal backbencher.

● (1125)

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, I want to first congratulate my hon. colleague from Kamloops, Thompson and Highland Valleys for her excellent speech on Bill C-27.

I want to quote from another letter. I quoted from two letters during my brief remarks. I want to read a brief analysis of Bill C-27 that was sent to me by Mr. Alvin Maier, managing director, North Peace Airport Services, in his representation for the Regional Community Airports Coalition of Canada. It encompasses a number of small and medium size airports. In his conclusion he stated:

Most of the language contained in C-27 already exists in most of the leases that NAS airports have with Transport Canada. If Transport Canada has issue with any of these airports in particular, then perhaps they should review the leases with these airports, and not attempt to introduce legislation that attempts to regulate all airports universally, and will negatively affect the viability of the regional community airports and the economic development of the communities they serve system of Canada.

I want to refer my colleague from Kamloops, Thompson and Highland Valleys to this particular conclusion drawn by Mr. Alvin Maier from Fort St. John in my riding because she remarked quite eloquently about how this legislation, if indeed it were to pass in its present form, would negatively impact on Kamloops in her riding. I know she represents a riding very similar to mine where the airports have the same concerns. I think it gets to the thrust of her presentation where she referred to this one size fits all approach that the government is taking and the negative impact it will have, especially on the smaller airports.

**Mrs. Betty Hinton:** Mr. Speaker, I very much agree with the remarks the member quoted today. It is a very serious problem and one size does not fit all. It might work for pantyhose but it does not work for airports.

We have to be considerate when we make these kinds of changes to legislation. We actually have to look at what the economic impact might be to a particular area if something like this is put through. I do not believe that has happened and I think a number of changes need to be made before this is even palatable, let alone decent legislation.

*Government Orders*

**Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance):** Mr. Speaker, within a few days after 9/11, when the airline industry really suffered, the government saw fit, rightly or wrongly, to make a cash injection into Air Canada. Within a very short space of time we saw the upstart of the low cost runs to compete with WestJet in western Canada. The people in western Canada were very upset about that. They were getting good service and to think that the government then put money into two of their low cost runs to compete against the successful cost run did not necessarily help the air industry across Canada.

**Mrs. Betty Hinton:** Mr. Speaker, I agree with my colleague on some of the problems that have transpired. I believe that the problems with Air Canada began long before 9/11. They began when Air Canada began playing Pacman with other industry airlines, and started eating them up and taking on their debt.

In terms of government interference or getting in the middle of things, I think that entrepreneurs and business people are in a far better position to decide what has to happen in industry than any government. In fact, if the member is asking me to be perfectly honest, the very last entity in the world that should be involved in business is government. I could give hundreds of examples of how it has managed to easily foul up what was working well before it got involved. I do not believe that we need to have government interference. We need to level the playing field for all air companies, and I believe that my caucus member from Port Moody—Coquitlam—Port Coquitlam has eloquently spoken in the House on a number of occasions about a simple solution to the entire airport problem.

• (1130)

**Mr. Bill Casey (Cumberland—Colchester, PC):** Mr. Speaker, I am pleased to talk about this airport issue. As a former transport critic I was involved with the divestiture process at one time. Now it seems to be snapping back to haunt us a little and it is a pleasure for me to talk about it.

I want to give an Atlantic perspective to this if I can. I was reading in *Hansard* the remarks made last night by the hon. member for Saint John. She was complaining about the service from Saint John, New Brunswick. The minister apparently said that she should go to Moncton and then fly from Moncton because there are better connections there. I used to fly to Moncton, but now I drive to Halifax because Moncton does not have direct flights to Ottawa either. The service has definitely declined after the divestiture and after all the changes that the government has made to transportation in the aircraft industry. Certainly, that was not very effective advice for the member for Saint John by the minister.

Let us look at the Maritimes. In St. John's, Newfoundland and Labrador, we had airport workers on strike for seven weeks. It created chaos there. We have added to the burden of the strike with all the other security issues and security fees, and the SARS issue which has created more difficulty for this airport. It costs more money. It costs delays in time because of the strikes and the chaos.

The member for New Brunswick Southwest was standing a few minutes ago talking about his discussion with the CEO of the Saint John airport, John Buchanan, who said that the airport was only one crisis away from a disaster. Since the hon. member had that

discussion with the CEO of the Saint John airport, we have experienced the gulf war and SARS.

Right now many airports are having a difficult time making ends meet because they do not have the revenue that they need to have to pay their bills and allow for capital expenditures in the future. Meanwhile, the government is bleeding them dry with high rentals. They all say that if the government wants to help, Bill C-27 should just say it will reduce the rental fees on the airport facilities to the communities that use them.

We must understand that the airport authorities get their money from two basic sources. They get it from the airplanes that come in and pay landing and tarmac fees, but they also get it from rentals for rent-a-cars, restaurants, Tim Hortons coffee shops and things like that. Therefore, there are two sources of revenue: one is directly airplane related and the other is non-airplane related, parking lots and so forth. However, as the traffic declines these airports cannot sustain these small businesses within their airports so they lose that rent. It just exacerbates and gets worse, especially for the small airports with a limited amount revenue.

Bill C-27, in their view, would impose tremendous restrictions on them in their ability to generate revenue. The government is denying them the revenue by changes in its policies which have reduced the numbers of flights and the types of airplanes and the fees that can be charged there. It is making it more difficult for airports to generate the alternative income.

In a recent discussion with some other airport officials in airports like Halifax, which is the biggest airport in Atlantic Canada, the members of these airport authorities all said that these changes were unnecessary. As one of them said, it is an attempt to interfere with the system. It is an attempt to regain power that the government used to have over the airport system while at the same time not wanting to share the burden. The government wants to recapture its power but does not want to share the burden and the cost. The bill is a way for the government to regain power, revenue and control but not share the responsibility.

Every airport administrator I talk to tells me that the outrageous rental fees are the biggest problem right now. This is the problem that is keeping the airports from surviving, prospering, and being able to provide a service at a level that used to be there before divestiture. The other thing is the security tax. As one of them said, "No one minds paying the security tax as long as the money goes for security".

• (1135)

However, as far as the airport authorities can tell, the actual cost of security tax is triple what is needed to provide the security that is being provided now. What the government is trying to do is gouge the public and it is using the excuse of September 11 to impose a tax on security which is triple the amount required so that it can just raise more revenue.

*Government Orders*

It is somewhat the same or at least there is a parallel with employment insurance, where the premiums are so high. The government is raising hundreds of millions of dollars on the backs of the employees who pay employment insurance when in fact the money is never going to go to employment insurance benefits. This security tax is never ever going to go to provide security at the present level. The people who I talk to in the business say that the tax is three times what is necessary.

We would like the government to go back and review this whole issue again, have the committee discuss it and listen to the airport authorities because they are the ones on the front lines. They know the difficulties in providing the service that they used to provide.

The Government of Canada used to pay to provide airports to the communities. Now it charges exorbitant rents so that the Government of Canada is getting hundreds of millions of dollars in rent every year when it used to pay out to provide these airports. It is now time for the Government of Canada to come back and participate in the cost of running the airports, but not try to interfere and micro-manage what the airport authorities are doing.

They are doing a good job. They are providing the services that are appropriate for the communities in which they serve. Nobody is better able to do that. No one is more qualified to provide those services and know what services are needed than the airport authorities because they represent the communities they are in. Let us let them do their job. Let us get off their back.

Let us reduce the security tax to what it should be and to what the actual cost is. Let us reduce the rents to a point where the airports can survive. Those airports that do not have very much traffic cannot support the alternative sources of revenue, the parking lots, the stores, the tax free stores and so on. They do not have access to that revenue so they should be given a special category and given a special deal on rents.

Those are our thoughts as we follow this and as we see it move forward. We will be watching it closely, but essentially the government should not try to interfere with these authorities. It should give them the freedom to operate, get off their backs, and stop overtaxing on rent and overtaxing on security.

**Mr. Bob Mills (Red Deer, Canadian Alliance):** Mr. Speaker, the member talks about the closing and the overtaxing of smaller airports. It seems to me it is part of the decline of our whole transportation network across the country.

In my riding we have an airport as a result of the closing of an air base some years ago. The government sold that for around \$5 million and now it is being revived. It is owned by the city along with a number of groups and the province has anted up money. Private enterprise has put money forward, but the federal government has put absolutely nothing forward.

All the airport is asking for is some fencing for security purposes. We will then have commercial traffic at that airport and I believe it will be viable to the east and to the west. Could the member elaborate if this is true across the country? It is certainly true in my riding. I would like to know his feelings on that.

**Mr. Bill Casey:** Mr. Speaker, that sounds like an exciting and appropriate project. It sounds like the ideal setup other than the fact

that the government will not participate. However, if we go back before divestiture and look at Transport Canada, we see that it was a burden to the government because it cost money. Transport Canada lost money.

Now it is a huge profit centre. It makes huge amounts of money. Transport Canada is a great business. It has all these properties that it rents and it has tremendous resources. It makes hundreds of millions of dollars now every year instead of losing money and costing the government money.

In a case like this where Red Deer has had a contribution from the private sector, from the province, and all it is asking for is help in security, we would think that would be a natural common sense role for the government to play and I believe it should be there. But again, the government is so greedy at holding onto this profit that it does not want to share any. It wants to interfere in the management but does not want to participate in the cost.

It is the same right across the country. The airports I visited in Atlantic Canada do not exactly have the same problem but the same concept and the same philosophy by the government.

● (1140)

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I appreciated the speech given by the hon. member at the south end of the chamber. I would like to ask him a question with respect to the whole concept of privatization.

It is true that the government used to greatly subsidize the operations of airports. It seems to me that when it divested itself of them and privatized them, it still wanted to keep its fingers in the pie, so to speak. Even though it now rents out the facilities and collects rent, to a large degree it is interfering with day to day operations.

Clauses in the bill requiring the display of the Canadian flag at airports really is almost a given. If an airport chooses not to have a flag or if its flag is in need of replacement or something, does the Canadian government replace it? No. All it does is pass a law that says airports must have one. It gets into the itty-bitty administrative details and really makes the job of operating the airport very difficult for the local authority.

Does the member have any comment with respect to whether the Liberal government knows whether it is coming or going in terms of its involvement in airports?

**Mr. Bill Casey:** Mr. Speaker, as I watched the divestiture process unfold, I was amazed at how little order and consistency there was to the process. One airport would make a deal that was satisfactory to it, then the next airport would make a completely different deal, a different deal on the rent or a different deal on the transitional fund that was given at the time the airport was transferred. There was no order to this. The government decided to get rid of the airports. It had a target and a date and it went through the system and did whatever it took to get rid of them.



*Government Orders*

To answer the hon. member's question more directly, I have some quotes. I talked to an official at an airport just a few minutes ago to get a little background on how the airport authorities actually felt about Bill C-27. These are the quotes. "It is an attempt to interfere with a system that is now working". "Airports are responding to regional needs and no one is better able to do that than us, the authority". "Now the government is trying to reclaim the power and control, but they will not participate in the cost to do that".

It pretty much answers the question of the government's position. This is not a compromise, it is not a give and take deal, it is all take. The government wants to take back the power and control. It wants to be able to make specific orders to these airport authorities but it does not want to give any more assistance. It does not want to bring down the security tax to the actual cost. It does not want to bring down the rental to an appropriate fee. It does not want to acknowledge that the Department of Transport is now a huge profit centre for the government. Before it provided airports all the costs through the Department of Transport. It does not do any of that now. Quite incredibly, instead of providing money, now it takes money in rents but it is not prepared to share that with authorities and it is very difficult for most small airports to make ends meet.

I predict that we will see some problems with our medium to small airports. We will see some other inconsistent and, if I can call it that, screwball approaches to helping some airports survive. Rather than have an appropriate plan for them and make the changes that have to be made across the board, we will see inconsistent capital grants, funds here or injections there.

• (1145)

**Mr. Randy White (Langley—Abbotsford, Canadian Alliance):** Mr. Speaker, it is a pleasure to speak to Bill C-27, the Canada airports act.

We have an airport in my riding, in the City of Abbotsford, which serves all the folks in Langley, Aldergrove and throughout Abbotsford. In fact the whole Fraser Valley and parts of Vancouver are well served by the Abbotsford airport.

The main airline out of there, which is very near and dear to our hearts, is WestJet, an airline that we in our community are extremely proud of and which is fully supported by the folks back home. Another very large airline in Canada tried to weasel its way into WestJet's clientele but it did not do so well. Therefore, I am glad to say that the people in our community very much support WestJet and its activities.

Along with WestJet's efficient operations come these things called airport fee, taxes, security taxes and so on, levied in large part by the federal government.

I will go through what the bill reflects as to the kind of autonomy airports would have but also what kind of effect the federal government has on those kind of taxes.

To fly between Calgary and Edmonton with WestJet costs \$100. Added on to WestJet's fees is a GST bill of \$11.23 and a security fee of \$22.43, which was imposed by the government just recently. Then we have an insurance fee of \$6, an airport improvement fee in Edmonton of \$15, an airport improvement fee in Calgary of \$12, and

a Nav Canada charge of \$5. Therefore the round trip fare the consumer pays is \$171.66 for a \$100 flight.

One of the problems with flights today is that the government cannot get out of the pockets of the consumer. If there is a problem with security, the first thing the government does is ding consumers to pay the bills, when in fact, if it looked around hard enough, it would find all kinds of dollars in its own coffers to fund such programs as security, improvement fees and so on. The mentality of the governments, be they federal, provincial or municipal, is to ding the taxpayer. I think most people are darn sick of it.

If we are talking about airports, by and large people, if they want to go from one point to another, must use an airport and an airline. The problem is the governments are sensing that and they are dinging everybody that has any association with an airport or an airline today.

Notwithstanding that, WestJet happens to be one of the most profitable North American airlines and will continue to be so because of a good common sense approach to things. We could all take an example from WestJet, in my community at least, and look at how to operate an airline and then, coincidentally, how to operate an airport that could help the airlines.

I will be opposing this bill for a number of reasons. One of them is this government interference in a pretty good idea. In fact we fought for the privatization of airports and airport authorities for a long time in the House of Commons. That idea finally went through the thick heads across the way. Now we find ourselves facing Bill C-27, which is essentially an interference bill on what the government created.

Essentially, clause 12 of the bill gives the minister the power to make directions that are final and not subject to appeal or review. That in this place and country is a dangerous approach. If we give ministers final approval on anything, it more or less gives final approval to help their friends, relatives or whomever, anybody but the consumer.

• (1150)

The airport in our community of Abbotsford is a municipally run airport. It is a fine airport. We do not even have parking fees, so we keep the costs down as much as we can. The real problem is the interference in increased fees from federal government hurt us.

Let me give an example. The first year's rent for the Winnipeg International Airport, after it was handed over to the Winnipeg Airports Authority in 1997, was \$900,000. After the Winnipeg Airports Authority improved the airport, Ottawa wanted it to pay \$7 million in rent in the year 2007. There we go again. The government turns it over and gets its fee. The local airport authority operates it right, then Ottawa says "Gimme, gimme, gimme". It is so typical. Then the consumer fees have to be increased sevenfold to pay for that.

*Government Orders*

Let us just go through a couple of other issues in this bill. If a passenger fee is imposed to finance a major capital program, infrastructure covered by an agreement referred to in paragraph 8 of clause 124, for instance, gives the following criteria:

—the annual financial statements must disclose, on an annual and cumulative basis from the year in which the fee is established, all expenditures made in respect of the program or infrastructure and all revenues from the passenger fee and any other fee or source of revenue or funding received by the airport authority for the program or infrastructure.

What this essentially says is that if an airport has a capital program and it gets revenues from fees to fund that capital program, it has to go through a whole litany of reporting procedures for the federal government. I find it ironic that when a private authority raises money through revenues and undertakes a capital project, it has to go through so much reporting, yet the government blows away billions of dollars a year with virtually no reporting. When private industry or any private organization gets revenues, runs decent projects, makes efficiencies, it reports all to the government and that way it gets its fees. However, when the government takes fees and spends it on projects, it blows it away with no accountability. Does that tell us something about the government? Does it tell us something about a philosophy that is absolutely wrong?

The bottom line is that when private industry and private organizations work and when they raise their own funds for efficiencies, the government ought to stay as far away from it as possible. Our experience with government, at least since the Liberal government has been in, is that it can blow money one heck of a lot faster and irresponsibly with no accountability than an airport authority can.

I must say this about any government intervention in these organizations. One reason why we wanted airport authorities in the first place was to get out of government-run airports because it did not run them right. Now that we have implemented that process, government wants to get back in because it sees what is going on. It sees that these airports are running right.

There is one other thing that I must say I have observed going across the country. This whole issue of airport improvement fees, I believe, started in Vancouver where they charged \$10.

• (1155)

Ironically enough, when coming through the Vancouver airport the other day, I was in a lineup with 300 people to pay a \$10 improvement fee. I would like to advise Vancouver airport that if it is raising \$10 per person from people going through it, the least it could do is have enough people available to collect the money so we are not standing in line. Does that not make sense?

Not only in one airport do I have to stand in a line of 200 or 300 people to pay the fee, but a few months back I went to another airport in this country and it also was collecting a \$10 fee. This airport has maybe two or three planes a day going through it, but it has the same \$10 airport fee that Vancouver has, and it has no improvements. In fact, I doubt whether it needs any improvements or has even had any improvements in the last 10 or 15 years.

This is not an improvement fee. This is a tax.

Whilst I say that government should have got out of all of this, I would like to tell these airports that if they need improvements they should try to fund them out of the dollars that they currently get. If they cannot and must charge a fee, they should raise the money they want and then do away with the fee. The fee should not be charged if the airport has not been or is not going to be improved. Otherwise these guys will be back in there wanting a cut of the fees and wanting to increase the fees. Eventually, if they cannot get their cut and the airport is profitable, these guys will take away the airports.

The bottom line is this. One airline in this country, WestJet, has proven to be efficient and has proven to be a good means of transportation. It is community friendly. Clientele are dedicated to it because of its attitude. WestJet does not need government fees, taxes, licences and on and on to ruin it for the travelling public.

Those are my comments on Bill C-27. I wish we could get one bill in any one instance where the government does not stick its damn feet in where they do not belong, but that is not to be. I have been around here for 10 years and every time I get up to speak to a bill I am always asking why the government has interfered or once it has interfered why it cannot do it right. That goes right from justice to health care and so on.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I commend my colleague for a well delivered speech. He expressed the same frustration that we all hear over and over from Canadians in all walks of life.

Really, the Liberal government is an oxymoron. Liberal means freedom. It comes from the same root word as liberate. Yet we have a Liberal government that has its tentacles of control on every aspect of our lives. Here it is, micromanaging airports in Bill C-27, right down to the little nitty-gritty of flying flags and putting up signs. It is ridiculous to have that kind of thing in legislation.

This government is really a control freak and a tax collection freak. That is all it wants to do. All the Liberal members in the House should be howling in protest at my statement if they do not agree with what I have said. They are really the worst kind of control freak tax grabbers and we need to stop them.

My hon. colleague has expressed very well some of the objections to Bill C-27. I would like him to perhaps enlarge briefly on the subject of the Liberal government's ingratiating control of everybody's lives and every little detail of our lives.

**Mr. Randy White:** Mr. Speaker, I will do that, but looking around to see how many Liberals are in the House, it is a little difficult for me to stand here and talk to the converted in opposition. I really question whether having one member of the Liberal Party in the House is the right thing to do. This is a bill that the government tabled and it is a bill that is important to this nation.

Mr. Speaker, can you see a quorum in the House? I ask for a quorum count. I am not going to speak while there is only one—

*Government Orders*

• (1200)

**The Deputy Speaker:** Call in the members.

*And the bells having rung:*

**The Deputy Speaker:** The hon. member for Langley—Abbotsford.

**Mr. Randy White:** Mr. Speaker, it is somewhat of a principled thing, as this is a piece of legislation from the government. I heard one of the members over there saying I am wasting people's time. Can anyone imagine a government putting a piece of legislation like that in the House—

• (1205)

**The Deputy Speaker:** The hon. member for Beaches—East York.

**Hon. Maria Minna:** Mr. Speaker, I rise on a point of order. With all due respect, I was referring to the fact that the member was calling quorum when he knows full well a good number of the members are in committee and have had to be dragged out of committee to come here because he is unnecessarily calling for quorum. With all due respect, that was not acceptable.

**The Deputy Speaker:** Again, respectfully to the member, this is not a point of order but more a matter of debate.

**Mr. Randy White:** Mr. Speaker, I thought you might see it that way. They are not all in committee, by the way. They are eating on the other side.

The point that I want to make on my colleague's comments is that I think there are two things that are relatively minor to the government, I would say, and those members should not go too far or I will call quorum again. There are two items. One is that the government wants to tell the airport authorities to have a Canadian flag. Every airport authority is going to have that, but for a government to say there must be a flag it makes one wonder how much authority and autonomy it actually wants these airports to have, as if they could not figure that out themselves.

The other thing is that in clause 101 the government is saying that it requires the minister's written consent for an airport's name to be changed; so much for having an airport named after anyone but a Liberal. If the Abbotsford airport wants to change its name, it should have the right to do so. We have no intention of coming here to Liberal land and obtaining approval from the government to put a Liberal name on what is basically a Canadian Alliance community. Politicians notwithstanding, that kind of stuff is a load of hogwash. It just goes to show how much autonomy and authority the government does not want these independent airlines to have.

I want to thank my colleague for that question. I do invite questions from the Liberals who tabled this legislation and are supposed to have enough members in the House to have a quorum.

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, it is good to be able to rise today to put some comments toward the debate on Bill C-27. The problem with the bill is that it does not address the issues that face many airports in Canada. It addresses a select few airports across the country. There are many more airports that have serious issues. I want to get into some of those issues that affect the airport in my riding in Lethbridge and ask why those issues were not addressed in the legislation.

One of the things that we have constantly brought up about the airline industry in this country is the fact that if the airport fees were reduced, the security tax on flights eliminated and the fuel excise tax forgiven it would help all airlines. This would help the operation of all our airports. Consequently, we would see more people flying.

Essentially what we must do is encourage more involvement in air travel. If the government taxes everything that moves, everything that uses fuel and every passenger, it does not create that atmosphere that we need to encourage more air traffic.

I would like to say that I will be splitting my time with the hon. member for Souris—Moose Mountain.

One of the issues that is not addressed and needs to be addressed regarding the airports across the country is CARs 308. That is going to create a problem for many smaller airports. I know that when the airport authority in Lethbridge took over the airport from the federal government the issue of having emergency responders on site was forgiven and the ability to service that emergency situation from existing fire departments was fine at that time. If that burden is now put back on the local airport, it will be a burden that I think will almost take the airport down. We cannot have that. That is not addressed in the bill and it needs to be.

Recently a group from Lethbridge came to Ottawa to deal with an issue facing our airport and almost two dozen airports across the country, I believe, which after September 11 lost their airport of entry status. This allows international flights to come in from across the line, mostly, and land at these sites and be greeted by a customs officer and have people to go through customs. Taking that away has been an absolutely devastating issue for the airport in my riding. I have talked with other airports affected across Canada and it is an issue for them also.

I have been told by other airport authorities across Canada that they are having trouble getting this issue resolved. So I have to hand it to the committee from my riding, the chamber of commerce, the airport authority, the business community, the mayor and council of Lethbridge and all the surrounding communities and municipalities that got together and supported this group that came to Ottawa to lobby the ministers across the way to get this airport of entry status reinstated. To date it has not happened. I believe the committee requested that some time be given to the ministers for them to come up with something. As of today I am not aware that anything has happened.

There are many issues that need to be and should be addressed and affect many airports across the country. These issues affect hundreds of thousands, if not millions, of people and have been completely left out of the legislation. We need legislation that would do this and it has not been forthcoming.

In order to round out what this means to southern Alberta, I would like to read excerpts from the executive summary of the document that was brought to Ottawa by the committee from my riding of Lethbridge. Some of the issues that were stated are as follows:

### Government Orders

Southern Alberta is a vibrant, productive, economic region with a trading population of over 275,000 people. At the core of this region is the City of Lethbridge, the third largest city in Alberta with a population of 73,000 residents. It is the closest metropolitan area to the United States border, located 120 kilometres away.

The bottom 100 miles of the southern boundary of my riding is the 49th parallel. The summary continues:

This region is most famous for agriculture and livestock production using leading edge technology in crop and animal science as well as irrigation. Lethbridge is home to two federally operated Agriculture Research Centres which employ nearly 800 employees (85 PhD-level scientists) and is just completing a 26 million dollar retrofit and expansion to ensure that Canada remains on the mandate of promoting innovation, maintaining the security of the food system, and protecting the health of the environment.

● (1210)

The region is also growing quickly in agri-food processing and manufacturing with companies such as Pratt & Whitney, McCain's and Lamb Weston investing heavily in the region. The City of Lethbridge is home to two publicly funded post-secondary institutions. The University of Lethbridge and the Lethbridge Community College, with a combined student population of 13,000.

Lethbridge is also blessed with a full-service airport owned and operated by the County of Lethbridge and located in the centre of the region and five minutes from downtown Lethbridge. Thanks to the leadership of the Federal Government—

—it is giving some bouquets here that I might not have done—

—the Lethbridge County Airport has recently completed a 3.3 million dollars infrastructure upgrade to ensure the efficiency and safety of flight operations. This investment by the federal government demonstrates a vital interest in the region and its economically viability.

With that investment and that agreement in place, the federal government then came in and took away the airport of entry status.

The coalition of individuals, organizations, institutions, businesses and local governments of Southern Alberta are distressed by the recent decision by the federal government to remove the Airport of Entry (AOE) status. The loss of AOE status in 2001 was the second reduction in customs service over a five-year period. The original customs office based in Lethbridge was removed in 1996, at which time the region was assured that customs service would continue at the Lethbridge Country Airport.

The decision to remove AOE and customs service has had a detrimental effect on the region. Many regional, national and international corporations have felt an immediate, negative financial impact as a consequence of this decision. These businesses have depended on customs service for the timely and efficient transportation of goods and key personnel. Now these businesses are losing sales, losing opportunities, experiencing increased costs and are seeing a decrease in their ability to compete.

That pretty much sums up that particular issue that is of grave concern to the entire community of southern Alberta. With 275,000 people that are served by that airport and international businesses that have located in the area, it is absolutely critical to the economic growth of that region that that status be reinstated. I have raised the issue in the House a couple of times with the minister to no avail. A strong delegation that came here was promised something and as of yet we have not heard anything.

Hopefully, somewhere in the near future this will be addressed and the airport of entry status will be reinstated. This will allow the businesses and the economy of southern Alberta to continue to grow and prosper because of the ability of international flights to land there.

The entire issue of tax, tax, tax; the fuel tax that airlines have to pay, the security tax that travellers have to pay, and the airport fees that airport authorities have to pay, when all of these are added up

they become quite a detriment to the operation and viability of a region.

There is one more point I would like to make. To me it is absolutely ridiculous that the airport operators face increased rents when they improve the airports. A case in point is the Winnipeg airport authority. When it took over the operation of the Winnipeg international airport, its first year's rent was \$900,000. After the Winnipeg airport authority improved the airport, the government decided it should pay \$7 million in rent by the year 2007.

The local people are improving their airport. They are putting money into it, creating business and creating an atmosphere where business can thrive. Then the federal government increases the rent on that facility from \$900,000 to \$7 million when it had nothing to do with improving it. That does not make a lot of sense. It is absolutely detrimental to development. It puts a strain on travellers. As was mentioned earlier by my colleague, whether the airport user fees are \$5, \$10 or \$15, we bump into them as we travel across the country. The airport authorities are having to charge those fees to help pay a bill like the \$7 million assessment from the federal government.

There is a lot that is wrong with the bill. There is a lot that it does not address. Hopefully after this debate and after more questions in the House, the government will get the idea and put into this legislation the things that Canadians need.

● (1215)

**Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance):** Mr. Speaker, I am very pleased to enter the debate. What I have to say very much pertains to my personal experience and to my province.

Many people may get the idea that when we are talking in the House about this particular bill that the government has put forward that we are attacking the people who work for the institutions of the airlines. Nothing could be further from the truth.

I want to share a very interesting story that I experienced the first week of this month. I was trying to get out of the Maritimes, out of St. John's and my ticket indicated that I would go from St. John's to Toronto and on to Regina. I was informed that because Air Canada had not purchased sufficient supplies of de-icing equipment I was to stay where I was at.

Can anyone imagine that Canada's largest airport, and it is still April, forgetting about the fact that it would still need to de-ice, it did not have any de-icing fluid. Like a national tragedy in its attempt to save money, Canada's flag carrier stranded people all over Canada.

With the cooperation of the staff at St. John's airport I was fortunate to get on stand-by to Montreal. From Montreal I got on stand-by to Ottawa. Eventually I got back to where I stay here.

That night I got a ticket to go to Toronto and then on to Regina and guess what. Air Canada had de-icing on the Friday night. I got the ticket and went to Toronto. The first message I heard was that all passengers would have to go downstairs on flight so and so to belt 26 because there are no flights out of Toronto. Air Canada had purchased some de-icing fluid but it had used it all up.

*Government Orders*

With tremendous cooperation from the staff I had to take a taxi, go down to VIA Rail, had a chance to ride on the rail and another taxi home. That is all because of mismanagement of our flag carrier. It made a lot of people angry.

I want to say this to the staff of our airlines. I know when I get on the plane in Regina, when one has a face that only a mother could love, people remember. They always speak very kindly. It is not the airline staff that is at fault. It is the operation of the airline. It is the operation of Canada's flag carrier.

I mentioned earlier in a question that I asked one of my colleagues that within days after 9/11 the Government of Canada injected a huge amount of cash into our flag carrier. What did it do? It brought in low cost airlines to compete with WestJet which was already giving western Canada good service. They are still staggering about that over there.

As I have said before, my constituency represents the largest number of ports of entry into the U.S. of any constituency in Canada. We have had in the past only one airport of entry status, just one for the whole province of Saskatchewan. The government has chosen to close it down.

I can understand that in the early days after the towers coming down. However with the chamber of commerce in Estevan and with the local people we have tried and tried to get that recognized again because people use it. Companies use it. Companies that are now mining diamonds east of Prince Albert will land there as a point of entry and will go on directly to the plant.

●(1220)

The reason we have been given is a wishy-washy cost factor idea that makes no sense, none. A private plane or mining plane with geologists, map makers or whatever coming into Prince Albert from the United States has to go all the way to Winnipeg and then fly all the way back. Can anyone believe that?

In comparison, most MPs, a high percentage, are home within two hours of flying time. There should be no complaints. It takes much longer for those who live in the remote areas and we understand that. If the demographics put an MP in a remote area of Canada, hospital and health services and plane fares are not going to be as good as in the larger population centres. That is understood, but the government seems not to understand it. It forgets it.

As my colleague mentioned, we had a port of entry at Lethbridge which was closed. We sweep all across the 49th parallel and keep on going until we hit Highway 75, I think it is, and there is not one service entry for private aircraft to come in which would be a legal entry. It is a national disgrace that for virtually three big provinces such as Alberta, Saskatchewan and Manitoba we have but one airport of entry status.

This is hurting. It is hurting me, not personally, but it is hurting my area. People who for a generation have used it because of its airport of entry status can no longer do it. The lodges that fly in the hunters, fishers and so on with their own planes are out.

Is the government so determined to only serve the populated areas that it will stand in the House and tell the three prairie provinces we

can have one airport of entry status despite the cries from across Canada? I hope something can be done about that.

I want to thank the people of Estevan in particular, the chamber of commerce and the work that they have done to try to get this business back, not just for the community but indeed for the sake of the province which I am proud to call home.

We are not complaining about having only the two major airports at Saskatoon and Regina. Most people outside those two cities will probably have an average flying time of two to three hours to get to those airports. We never hear complaints about that.

What we are asking for is recognition that in fact we do exist and we need these entry points. Once we get to Regina or Saskatoon we are not complaining about the service. We are complaining about the lousy taxes that have been put on that nobody can justify.

●(1225)

I will go back to Bill C-27. It is high on material and everything, but it is low on accountability. When we read it, we have to use a magnifying glass to see the amount of accountability. My area was left out and I am disappointed.

[*Translation*]

**Mr. Claude Duplain (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I would like to take this opportunity to begin discussions on implementation of the Canada Airports Act, that is Bill C-27.

We now have more than ten years experience under our belts with the operation of port authorities in Canada. The airport divestiture initiative has been an extremely successful one, and now has unanimous support. No one wants to see a return to a centralized airport administration structure.

Airport authorities have proven that they are capable of linking their management and development strategies with the needs of the communities served by the airports.

There are a number of stakeholders with a direct interest in the safe and efficient operation of these airports. These include the travelling public, the carriers, the communities the airports serve, and the federal government, in its capacity as owner of the airport land and facilities.

These stakeholders are entitled to know whether these valuable assets are being administered efficiently and safely, and are respectful of the environment. This bill attains that objective by stressing the need for an ongoing dialogue between airport administrators and stakeholders.

The bill calls for public access to the strategic planning documents established by each airport authority. These serve as an action plan for the future orientation of the airport. The bill also stresses the necessity to periodically seek public input and pass it on to airport administrators.

*Government Orders*

Current leases between airport authorities and the federal government already contain provisions encouraging accountability and transparency. With their ten years of experience, however, the stakeholders have indicated that there may be ways of improving one or the other of these.

With the Canada Airports Act, this government is responding positively to those opinions. In some cases, what is different is the nature of the details required in airport authority reports. For example, the proposed legislation now sets out the requirements for the content of a land use plan, a master plan and an environmental management plan for an airport authority. These plans are a lease requirement.

To enhance uniformity and rigour, improvements have been made to the content requirements for the strategic planning documents. There is also a statutory requirement for these plans to be updated. This will guarantee that the documents in question, and the business plans for an airport will be up to date at all times.

Airports must be developed and managed carefully, with consideration for prevailing economic conditions, the health of the airline industry, and the regional community.

Other national strategic issues that are better included in this legislation are incorporated through leases or existing legislation, such as federal identity provisions, the fact that airport authorities must be familiar with Canada's international obligations, the Minister of Transport's right to information on the performance of national airports and the delivery of services in both official languages.

In other sectors, the legislation seeks much greater accountability. This is particularly true with regard to the transparency of fares and pricing methods.

It has been said that some of these measures will result in increased costs for airport operators. Currently the entire airline industry is facing enormous financial challenges.

The leading airport authorities have already realized the advantages of being responsible and transparent non-profit organizations. These authorities are already holding ongoing and open dialogue with their main stakeholders. Consequently, many airport authorities are already meeting the legislative requirements or are taking steps to do so.

• (1230)

For other airport authorities, this legislation will encourage a positive response to the business sector's growing interest in accountability and increased transparency. The statutory requirements merely codify the good business and ethical practices adopted by the business sector.

The Canada Airports Act aims to provide some measure of certainty for Canadians, airport clientele and travellers. This goal can be reached through the provision of important information on airports to all stakeholders. In short, the airport authorities must manage these key public facilities responsibly and transparently.

[English]

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, how delighted we are that finally a member from the government stood up to defend the bill in the House. We have been raising

objections to it all morning and talking about different aspects of the bill that are seriously flawed. I would like to congratulate the member for having the fortitude to come to the House to give his speech even though it was woefully inadequate in answering any of the problems that we have raised.

I would like to therefore be specific. I would like to ask him a question with respect to governance and the appointment of members to the board. The act would require that there be 15 members and there is a breakdown that there must be two from the federal government and one from the provincial government and so on. However, there is no requirement in the bill that some of the board members on the airport authority actually be representative of the airlines. It is incredible that this has been missed.

I would like this member to either say to us that an amendment will be accepted that would require that it be mandatory, that the airlines and the airline industry be represented on this board or I would like him to justify why they are not because those are the only two options.

[Translation]

**Mr. Claude Duplain:** Mr. Speaker, my answer will be brief. Based on the information I have been given, representatives of the airlines may sit on these boards of directors and take part in decisions.

I do not know where these allegations made by the members opposite come from, but based on the information I have, the airlines can be on the board.

[English]

**Mr. Ken Epp:** Mr. Speaker, the bill provides, as I mentioned, two representatives from the federal government and one from the provincial government. It can have three to five from the local municipal government which is good. These are local authorities that are running the individual airports, so to have some representatives on the national airport authority board would really be great.

I wish to indicate here that there can be representation from economic organizations, provincial associations, lawyers, engineers or accountants, community organizations, and I guess the local 4H Club or some unions. There can be three to five members that can come from these different groups. One of those groups represents domestic air carriers. They may come from that but there is not a mandatory requirement.

Compare that to Nav Canada where it is mandated that 5 of the 15 members of that board be representatives from the airline industry. That similar condition is not required by the bill and that is a totally serious oversight or flaw.

I would like to hear from this member, but he probably does not have the authority here because people from the backrooms have not e-mailed him on his Blackberry to say, yes, go for this. But I would like to ask him, at least personally, if an amendment like that were made, would he personally support it because it makes so much sense?

*Government Orders*

• (1235)

[*Translation*]

**Mr. Claude Duplain:** Mr. Speaker, the member will have to prove to me that airline representatives will not be able to sit on the boards, because I have been told that they will be able to.

It is easy, when dealing with new bills, to only point out what is missing. The opposition is against this bill, and all we have heard is what is wrong with it.

Let the members opposite take the time to read the bill, to see the accountability that we want to establish in airports, proper management by those responsible, while noting the challenges to be met and keeping sight of the goal, which is public transparency. That is what this bill stands for, and it is fantastic.

[*English*]

**Mr. Ken Epp:** Mr. Speaker, I am not dominating here. I am always looking around to see if anyone else is standing. I would be most willing to concede the time to another member who would like to participate. But I just need to follow up with this.

Here is a member from the Liberal government who has come here to face the music on this bill. As I and my colleagues have said, and one of the other opposition members this morning, here are some flaws which need to be fixed. The role of Parliament is to fix things. If we do not ever accept amendments to improve a bill, we might as well shut this place down because it would not be fulfilling a function.

I am putting the member on the spot and he ought to be because he is here as the official spokesperson for the government. I will repeat this question again.

It is clear in the legislation that, of the airport authority directors, there can be from 11 to 15 members, that 3 to 5 of them can come from 2 of the following groups, and those groups are listed. One of those groups is the domestic air carriers association. However, there are four other groups in that listing. We could easily get three members from those four other groups. It is feasible that there might be zero representation from the airline industry. It is not mandated. That is my issue.

I is mandated at Nav Canada. It is required that four of the representatives be representatives from the airlines industry and one from general aviation, so that we would have 5 out of 15. It is mandated in the act.

In this bill, it simply says that here are five groups, some of them may come from here but they do not have to. Will he support a compulsory amendment to the bill which would require airline representation?

[*Translation*]

**Mr. Claude Duplain:** Mr. Speaker, I will repeat it once again, the airlines will be able to sit on the boards. What is important is the transparency that we want to establish in this management system with ten years of experience when it comes to transparency and good management.

Sometimes the opposition complains that someone is missing, that someone else should be sitting on the board. However, the people

who are appointed from the public to head these boards of directors are intelligent people. They represent society, they have been working for years and they know the sector.

Does the member really think that these boards want to boycott or prevent the airlines from using the airports? That is completely ridiculous. They are there to look after Canada's transportation needs. A board of directors would never do anything that would interfere in or prevent the airlines from providing transportation to Canada's regions. That is completely impossible. Come on.

• (1240)

[*English*]

**Mr. Andy Burton (Skeena, Canadian Alliance):** Mr. Speaker, to follow up on my colleague's line of questioning, we still do not have an answer. What is the problem with mandating? Mandating representatives from the airline industry to sit on a board is as important as this board would be to that industry.

Yes, they can sit on that board; they can be appointed. The question is, would they be appointed? I want to know why the government would be so reluctant to assure that the representatives from the airline industry would be appointed to that board? I would like to hear an answer on that.

[*Translation*]

**Mr. Claude Duplain:** Mr. Speaker, this bill has all the flexibility needed. If the member could prove to me that representatives of the airlines were not able to sit on the boards, then I might agree. However, in my opinion, thanks to the bill's flexibility, they can be a part of the boards.

[*English*]

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I had another question but the member will now escape from our questioning and we will not get an answer.

However, with respect to the appointment of the airport authorities, I will simply say that I sincerely hope the Liberals will support the amendment. The member says over and over that they may be there, and that is true. I am not questioning or arguing that. That is in fact what the bill says and that is what we find particularly problematic. I do not see them applying that same criteria to the appointment from the government.

The bill mandates that the airport authority directors will include two representatives from the federal government. There it is. It is mandated. Why do the Liberals not just say that they may be from the federal government if they are happy with that? They think it is so important that there be two members from the federal government that they put it in the bill. One director must be from the provincial government in the province in which the airport is located. It is mandated that between three and five of the directors must be from the municipality.

*Government Orders*

I am very disappointed in the lack of a positive response from the Liberal member who just spoke. If those are important, and I agree they are, it says in the legislation that the board will contain members from these different groups, then why suddenly make it optional for the airline industry itself? Can anyone imagine the airport authorities not having this input? It is a distinct possibility because the word is that they may be there. They do not have to be.

I and probably most of my colleagues would argue very strongly that it is absolutely mandatory. In fact, I would go so far as to say that to have the airline industry represented on these authority boards is actually more important than to have a federal representative. It is more important than to have a provincial representative. It is just a very bad error in the bill.

Of course, I expect my colleague, the member for Port Moody—Coquitlam—Port Coquitlam, will be bringing forward in committee some amendments to that effect, but we are here today debating in principle this bill. That is what second reading is all about. In principle we cannot even accept the bill if it has these very serious flaws. It is flawed in principle if it does not include mandatory representation from the airline industry or general aviation, as is required on the board of NAV Canada.

We have the precedent. There is no reason why these mighty, numerous Liberals cannot support such an amendment. I guess I am putting forward here the initial argument that it would be worth their while. It would be a good thing for them to support such an amendment.

Now we all know the way the parliamentary dysfunctional system works here, and that is that even if we were able to persuade the members of the committee to support such an amendment, lo and behold, we would find ourselves in the House at report stage and, undoubtedly, the government would put in amendments at report stage that would undo the amendments accepted at committee. We have seen that over and over again. It is one of the great frustrations.

I will digress and speak generally for a few moments about this whole process. I think this is fundamentally where we need to change this place. Our job is to produce good legislation. In fact, unbeknownst to the public, before the doors are opened and before the cameras are switched on every day we have a prayer in the House of Commons. We pray for divine guidance and ask for help to make good laws and wise decisions.

● (1245)

We want to make good laws but we cannot do that if there is no practical mechanism for implementing amendments derived from the collective wisdom of members of Parliament in the House and in the committee dealing with the legislation.

I am presuming that the second reading of Bill C-27 will pass. There will be no dissenting vote to speak of from the Liberal side. If there is any dissent it means that one or two members have chosen to absent themselves from the vote because they did not want to incur the wrath of the Liberal Party whip. They will all vote for it in sufficient numbers that it will pass.

How then have we fulfilled our mandate, having been sent here by the people of Canada to produce a good law, if we cannot improve and revise such an obvious huge flaw?

A bunch of Liberals over there are supporting the member for LaSalle—Émard who has been going around the country telling people that he will reform Parliament. Big deal. He is saying that now in order to get elected. That is what the Liberals did when they were seeking election in 1993. At that time they said they would have an independent ethics counsellor. Ten years later we have a totally dependent ethics counsellor. The former finance minister is now saying that he will make Parliament more accountable and individual MPs more responsible. We have heard that story before and, frankly, I do not believe it.

When we propose amendments to the bill we may be able to, because of the current internal party conflict, persuade members of the committee to vote in favour of those amendments. That has happened before. However they will come back here and all the work will be undone. The bill will be passed in its flawed form rather than its improved form. I cannot understand that.

It is a mark of pride and arrogance to say that my first try at anything is right and good and I will not change it. Every other week I write letters to people in my riding and those letters are published in my local newspapers. I hardly ever send my first draft. I should not say never because occasionally I do. I get on a roll and I usually get it pretty good the first time. However usually it is edited and revised before I send it. We need to be able to do that here. We need to be able to tell Canadians that the first draft came out this way but we, being the diligent politicians that we are, detected some flaws and corrected the flaws before the bill was passed into law. That is our duty. I hope Liberal members will carry out that duty. I hope they will do their duty and support the required amendments.

It is also interesting to note that in this particular instance the committee presented a report to the House of Commons. However, when all is said and done, there will be substantial changes made to the report in terms of the government's response to it.

I want to say a few other things about the bill we are dealing with today, Bill C-27. It seems to me that taxpayers are being royally ripped off. In general I agree that it is a good plan to privatize the airports. Airports generally are being administered as well or better by the local authorities than they were by the federal government. That is a generalization. There would be some exceptions to that statement.

● (1250)

The poor taxpayers are caught in this because, first, we built all these airports through our taxes. Now that we have built them they have been given over to the local authorities. I would hasten to add that in every instance that I know of they were given over at well below market value. I do not think any local authority paid anywhere near the market value of the land and the improvements of the airports which they took over. Now in every instance we as taxpayers get to pay rent on the land that we originally bought and improved.

Mr. Speaker, I do not think you or I would do that. I cannot imagine building an apartment block and then selling it to some entrepreneur for about one-tenth of the price, and then turning around and going back there to live and paying one and a half times as much rent as I would pay normally anywhere else.



*Government Orders*

Yet we know that many of these local authorities are paying rent to the federal government far in excess of what the federal government is doing. Basically they own the airport property and they are paying this rent but the fact of the matter is that it is the taxpayer who paid for the property and the improvements in the first place. Now it is the taxpayers, through their local governments, and the people flying and paying the airport taxes who end up paying again.

This is how it always is with the Liberal government. We pay once and then we pay again and again. The government almost has a fetish for collecting taxes over and over. We still have the GST which it promised to kill and to scrap. The GST is actually charged on fees and taxes. We pay a fee, we pay a tax and then on top of that, when the bill is all added up, another 7% is added and it is called the GST.

Therefore much of the tax that we pay is actually a tax on the tax. This happens over and over in our country. The government says that it is such a wise fiscal manager that it no longer has increasing debt. I commend the government for that. It could hardly help it with the way the economy has been rolling due to free trade, which has had the greatest impact.

Free trade was another thing the government said it would scrap. It was against free trade. Now it is the beneficiary of it and telling the Canadian people that it is no longer borrowing and no longer in deficit because it is such a great financial manager.

I guess I would concede to the degree that the government is a good enough manager to not undo the good that was done before it got here. I commend the government for that. I thank the government for keeping the free trade growing instead of scrapping it, for not keeping that particular election promise, otherwise we would be in real deep trouble economically in this country.

I would also like to mention the government's fetish to get into micro-managing. There are two areas in the bill. I have mentioned them before in debate and in questions and comments with previous speakers. However I am truly one upset guy about this. The government cannot put into the bill that it is mandatory that there be airline representatives on the board but it can put into the bill that it is mandatory to fly a Canadian flag.

I have a particular soft spot in my heart for this issue. As you know, Mr. Speaker, as do many other members and maybe some others watching on television, I became part of the so-called flag debate here about seven or eight years ago with members of the Bloc, God love them. There are wonderful members of the Bloc. I like them as individuals. They are fine, respectable people but I disagree with their political philosophy. They want to separate from Canada and I strongly disagree with that. We need to stay together and be a large, strong and happy family. A Bloc member at that time objected to the fact that I had a little flag on my desk. I got into trouble and I apologized for it at the time because it was considered a prop.

• (1255)

A Canadian flag in our own House of Commons is considered a prop, an offensive symbol. It is quite inconsistent, Mr. Speaker, since you have one right beside you and it is most appropriate that it

should be there. However for me to have a little one here was considered offensive.

When a Bloc member, a separatist member, demanded from the Speaker that I remove it, I had a short regression to the rebellion of my youth, that type of response. I said "Ain't no Bloc member gonna tell me not to fly my flag" and so I flew it. I did not remove it. Like I said, I subsequently apologized for defying the authority of the Speaker in the House when I was asked to remove it. That part was wrong. However it was much more wrong for a member of the separatist party to tell me that I could not have it there.

What a reversal. Now we have the government putting into this legislation that airport authorities must display the Canadian flag at airports. It is mandatory. There is something fundamentally wrong here. If the government has to mandate the flying of the flag, it loses a lot of its value in my view. I think people should display our Canadian flag proudly. It can only have meaning if it is done voluntarily. When Canadians fly the flag voluntarily, I believe it represents the feelings in their hearts. Why should we reduce it to merely an act of obedience to a law of the land? It diminishes the act.

I noticed with some interest a couple of years ago when this was going on that there was a farmer in my riding driving up and down his field harvesting his crop. Lo and behold he had a flagpole on his combine with the Canadian flag flying as he went around his field. I felt very good about that. Here was a farmer who said he loved his country and he was not ashamed to fly the flag at the place where he worked. As I drove by and observed this I remember thinking "I want to be a farmer. He has the freedom to fly his flag at his place of work but I do not have the freedom to fly my flag at the place where I work, notwithstanding that it is the Parliament of Canada".

In the bill there is the mandated requirement that local authorities which operate airports display the Canadian flag. I think they will anyway. That requirement should be out of there for two reasons. One, I do not think the federal government in this kind of legislation has any business whatsoever getting into the micromanagement, the day to day operations of the individual boards and their airports to that degree. My second reason for saying that this should not be there is, as I have indicated before, it diminishes the worth, the value of the act when the government says one must do it as opposed to making it truly voluntary.

Another thing that is rather interesting is the mandating of signs. It is silly to force the local authority that is running the airport to put up a sign that says "Hear ye, hear ye, all ye who pass by: We want you to know that this airport is owned by the Government of Canada". I think it should make people feel good because they can say to themselves "We are the taxpayers who send trainloads of money to Ottawa and it is our money that has bought this airport". There is nothing wrong with a sign like that, but again, to put that into a bill and to make it mandatory is micromanaging. It is a misplaced priority. As I have said, the other things which should be compulsory in the bill have been passed over. There the government did not see the reason to have a mandated statement.

• (1300)

I regret that my time has elapsed. Perhaps some members will see fit to ask me some questions and I will be very glad to defend the positions I have taken.

*Government Orders*

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, I want to start off by complimenting the member from the Alliance. He is one of the best storytellers I have heard in the 10 years I have been here. It never ceases to amaze me that on any bill or any situation he has a wonderful story to tell. Good for him.

I was amazed how he went from one issue to the other. He talked about the GST. He talked about flags at airports and the incident on his desk. I commend him for that.

When we bring legislation to the House, we know very well that no legislation is ever perfect. That is why legislation is always reviewed and that is why this legislation is also being reviewed. Something we brought forward five years ago does not necessarily apply today.

When he talks about mandating today, perhaps five or eight years ago we did not have to use that word. He talked about the flag on his desk. He knows very well the dynamics of our country and what we are dealing with. The flag beside you, Mr. Speaker, speaks on behalf of all of us.

I want to talk a little about the GST. He said it is tax on tax on tax. Australia for example charges 12%. In Europe it is 18% and higher. There is a price for civility and it is called tax. It is sad and he might not want to accept it, but we need revenue to put into our health system, social programs, et cetera. If he is saying we should eliminate tax altogether, then I would like him to stand up and tell his constituents there is no more money for pensions, no more money for social programs, no more money for health care, no more money for roads, nothing, nothing, nothing. I would like him to clarify that.

I also want to comment on the amendments that he talked about. Of course if amendments make sense and are brought to committee, any reasonable person will look at the amendments, compromise and make a step forward. No one says they accept them or turn them down.

**Mr. Ken Epp:** Mr. Speaker, the member has given me enough grist for another 20 minute speech and I probably will not have that much time.

With respect to taxes, many people in my riding and in other parts of the country have said that they are totally willing to pay taxes and so am I. We were relatively poor when I was a young fellow growing up on a farm in Saskatchewan. My dad always said it was a privilege to pay taxes because it showed we were earning some money, which was sort of a rare thing. He was happy to pay taxes.

The problem has become that we pay taxes at exorbitant levels, higher than most of the G-7 countries, on our income. The government takes a slice of all of our incomes. Then with the money that we have left it takes another slice. For example, and I have mentioned this many times, when we buy fuel for our cars and calculate the amount of taxation as a fraction of the amount of money that is actually attributed to purchasing the product, the taxation rate is around 100%. That is ridiculous. We pay as much tax as for the product.

The same is true for airline tickets. Someone could buy a ticket worth \$79 for a short haul somewhere. By the time the Nav Canada fees and rent on the airport are paid, which is buying back an airport

that is already paid for, as well as the totally miscalculated security tax, and all these things are added up, in many cases air travellers end up paying between 100% and 120% of taxes with money they have already paid income tax on. That is what I am talking about.

I am talking about excessive and unfair taxation. I will not change my message on that. That is what drove me to become a member of Parliament way back in 1993. It was one of the prime motivators. I am not going to stop on that.

For the member to misrepresent what I say as advocating no taxes at all is unfair because we all value these programs. I think of health care. I think of the fact that in Canada people who reach retirement age actually get a minimum of income directly from their pensions, which is a return on the taxes we pay over the years. That is a wonderful part of our country. There is no way I would advocate reducing or relieving that.

As a matter of fact, when I talk to seniors I hear over and over again that they are having an increasing amount of trouble making ends meet. Instead of taxing them to death over and over and taxing poor people with excessive EI premiums, \$5 billion a year more than it needs, I think it is time the Liberals started acting responsibly to the people in our society who are in need. It is time the government stopped taxing them to death. Let them keep some of their money so they can pay their bills, which are increasingly on the rise.

● (1305)

**Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance):** Mr. Speaker, I am pleased to address this legislation. I want to compliment the government for attempting to tackle some of the problems with the airline industry. That will be the extent of my compliments today because first we need to address an attitudinal problem.

We are here as opposition members bringing forward ideas on how to improve legislation to make life better for Canadians. There is this constant attitude by the government of resistance to that. We have some ideas. We have worked on these things. We have consulted our constituents. What we would like to see is a little openness from the government. We do not expect it to have 100% perfection every time it brings forward legislation. That is not the anticipated process. The process is to get input from a variety of members of Parliament and see a much improved bill. I wish the government would cease to resist this reflexively and be a little more open. After all, opposition MPs are not from the government but we are here to help. We would like to see an attitude change.

The bill itself has some serious flaws. Clause 12 gives the minister the power to make directions in such a way that these directions would be final and not subject to appeal or review.

Mr. Speaker, I will be splitting my time with my colleague from Grand Prairie who will also add some detail and some innovative ideas of his own on this.

It is dangerous to allow a minister that kind of discretionary power to make directions that are not subject to appeal or review. If there are some security matters that should be so above question, then tell us what those are so that we can see why a minister would possibly want this sweeping power to make decisions that are not subject to appeal or review.

*Government Orders*

In the area of governance itself, the bill in terms of suggesting how airport authorities and their directors should look and how those boards should be comprised, it is fascinating that the government is not requiring that there be somebody from the airline industry on those boards. This particular piece of governance gives to the authority the power to impose airport fees, the power to seize aircraft, the power to do all kinds of things related to passenger fees yet to not have a representative from the industry on a board like that is virtually unheard of. Anywhere this type of governance structure is required there are always representatives of the industry or the professions and occupations on the board. Workers compensation boards in every province have a set number of representatives from labour, from industry and from the public at large. The bill is deficient in not having that. Nav Canada is certainly required to have that. It should also be in this bill.

There is also an approach to airports themselves and even airlines, but specifically to airports which suggests a one size fits all approach by the government. That is a very serious flaw. All airports are not of the same order of magnitude.

In the Okanagan—Coquihalla region the Penticton airport handles something in the area of 45,000 flights a year and over 80,000 passengers. We can compare that with Toronto which serves over 28 million travellers in a year. That is 80,000 in Penticton and 28 million in Toronto. The approach should not be the same.

I am not talking about varying safety regulations. Certainly those should all meet the standards. I can assure people who are thinking about flying into Okanagan—Coquihalla that the Penticton airport has a wonderful safety record and a wonderful record of service I might add. However the one size fits all approach is not going to deal with some of the unique problems in certain areas.

The bill also misses the opportunity to fix some problems. There is a policy where Ottawa will often increase the rents on airports as the airport operators seek to improve their services or in fact to improve their facilities. An airport and its board or managers that decide to improve the airport should not be punished simply by being hit with a higher tax just because they want to have an improved facility. The bill misses the opportunity to deal with that punitive approach to improvements.

On the flip side of that, on the rental increase if they want to improve their facility, there are certain requirements for airports that are often imposed which have nothing to do with safety, nothing to do with service and have more to do with opulence in the view of some people than to do with serviceability.

● (1310)

Therefore, in many cases smaller airports are forced to integrate into their designs some things that have nothing to do with safety or service. They do that at some cost and then are taxed at a higher rate because these things are called improvements. This is an area that needs to be fixed in the bill.

Again, directly related to the Penticton airport, it is the airport in the interior of British Columbia that is closest to the United States border. It serves as a critical transportation component of the visitor and convention business, economic development and community

events. It is a very vital air link into the Okanagan—Coquihalla region from the United States and other destinations.

Immediately following September 11, Canada customs clearance at the airport was temporarily withdrawn. We were told that it was for security reasons and I think there was a level of understanding about that. Those services were not resumed until February 22, 2002, after many people, including me, had intervened and asked for those services to be resumed.

However, in the resumption of services they were put in place from only 8:30 a.m. to 4:30 p.m. Monday to Friday. Weekends are not covered, holidays are not covered and extended hours into the evenings are not covered as they were before. We appealed that and Canada customs came back and said that the after hours service would be put back but at a charge of \$30,000 per quarter. That is a considerable burden for an airport of this size. We feel that it is unjustified.

I am asking the minister, either through the process of this bill or just to get his attention while he is here today, hopefully, to look at this and put back that Canada customs service as it was before, without implementing that very burdensome charge. For the airport to have to consider taking on that charge has a real impact on people flying in on weekends and in the evening. We would like that to be looked at and reconsidered and in fact have the extra charge removed.

That brings me to the point about the security personnel at the Penticton Regional Airport. They are professional people and they are diligent and expeditious. However, Mr. Speaker, when you come to visit in Okanagan—Coquihalla, as I know you want to, and as I know Canadians around the nation want to come to the Okanagan to see what a beautiful place it is, in regard to going through the security clearance, without the electronic equipment there bags have to be checked individually and it slows things down. The personnel doing this are very considerate and it is not offensive, but it does slow things down considerably. We are asking that an x-ray machine be put in there.

The x-ray machine we are asking for and these extra security provisions are some things that we are paying for anyway. Let me illustrate this. Here is where there was an opportunity for the bill to address the area of extra charges that air travellers pay. Just as an example, I will talk about the airport in Kelowna. A regular flight with WestJet from Kelowna to Calgary is about \$77; these figures can be rounded off up or down a dollar as I go through them. It costs \$77 to fly from Kelowna to Calgary. Within that \$77, a passenger will pay \$6 in GST and approximately \$22 for an airport security fee, which a passenger also has to pay in Penticton but none of which is being used, and could be, for the extra security equipment required in Penticton. As well within that \$77, there is an airport improvement fee of \$12 in Calgary and a Nav Canada fee of \$5 on top of that. That is roughly \$45 on a \$77 flight. Let us just think of the costs. We know that there are going to be some costs and some charges, but if we took them away it would be \$32 to fly from Kelowna to Calgary.

*Government Orders*

The bill misses the opportunity to address some of these charges in a vigorous way. It also seems to reflect a built-in bias, a bias against smaller communities and a bias against entrepreneurial operations. WestJet, as an example, is an exciting company. It is very entrepreneurial in nature, meeting all the safety, service and hospitality requirements of the industry, and yet it appears that the government, through its legislation and through allowing competing airlines to have predatory pricing policies on different routes, is biased against those who would invest, those who would be entrepreneurial in nature in terms of delivering a service to Canadians.

Therefore, I am asking that the specifics of the bill be addressed. Also, when I talk about one airline over another, WestJet vis-à-vis Air Canada, for instance, I am not talking about the employees themselves, the staff. Employees at both airlines and in fact in most of the travel and tourist industry in Canada, and especially in the Okanagan, are very service oriented and people oriented.

• (1315)

These are some of the areas that need to be corrected in the bill. They could be if the government had a mind to do so. We would ask the government to give them fair consideration.

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, first let me thank the member for Okanagan—Coquihalla, who really stuck to the issue and got to the guts of some constructive points.

I was quite intrigued when he talked about the Canada customs services and the extra \$30,000 that now will be needed. I just want ask the member to clarify whether that service was there before and there was no charge. Or is that charge a new charge that would be added? Could the member clarify that? As members of the transport committee, we are trying to seek ways, means and ideas as to how we can overcome some of these difficulties at different airports.

I do agree with him on one issue. He said that one package does not serve all. There are different needs, different airports, different sizes and different volumes. He is absolutely correct.

The last thing I want to ask him about is the x-ray machines. Were there x-ray machines there before this request? People do travel. Everyone has mobility. Given what has happened over the past little while, I cannot see any airport not having some kind of security system for baggage, et cetera. If he could comment on that, I would appreciate it.

**Mr. Stockwell Day:** Mr. Speaker, first let me compliment the member for his openness to receiving these suggestions. It is a good attitude for government members to have. I appreciate it.

To clarify, in fact the customs service was provided in totality before. Following February 22, this charge of \$30,000 per quarter will be extra. As the member would know, I am sure, that is quite a burden on an airport of this magnitude.

The x-ray machine was not there before. That was not a service that was removed. The airport authority, the airport management and those of us who as travellers use that airport are asking that one be put in place. Beforehand the argument was that if an airport had a certain amount of passenger traffic per annum it would qualify for one of these electronic machines. Air traffic through the Penticton airport continues to grow and we feel the costs are now being

provided through this added security fee, which is now imposed on all travellers. We feel that the costs could be taken from it. I thank the member from the transport committee for being willing to look at that.

• (1320)

**Mr. Charlie Penson (Peace River, Canadian Alliance):** Mr. Speaker, I appreciate the opportunity to rise today and speak on this bill, one that certainly affects an airport in my riding in the city of Grande Prairie.

I believe that the bill is actually a bill of missed opportunities and attempts to solve problems that do not really exist. When one looks at the state of Canada's airline industry and realizes that the Standing Committee on Transport is looking into the continued viability of the airline industry, one has to wonder why the government is choosing this time to introduce legislation dealing with airports, and specifically this type of legislation.

Based upon e-mails, phone calls and letters that my office receives, there is no real sense of urgency to fix the airport situation except for three specific areas that I am going to discuss today and which really are not addressed in this bill at all. In fact, most Canadians are reasonably happy with the status quo. When we compare Canadian airports, both large and small, with similarly sized airports in other countries, Canada's airports stand up rather well. So the question is, if the system is not broken, why are we trying to fix it?

What I believe is happening is that this really is about a missed opportunity to fix three specific problems that are not addressed in the bill. The real problem facing Canada's airline sector is not the way airports are run, because they largely have been turned over to airport authorities and down to a level of community involvement that I think is much better than it was before. The real question is about the way rents are charged by the federal government to these airport authorities and how that cost is passed on to the airlines.

This issue was raised and dealt with in the transport committee hearings over the past few weeks. As a result, on April 11, in its report, the committee recommended unanimously that "the federal government suspend rental payments by airports for a two year period" and that "the airports shall pass these rental savings on to air carriers". We know that air carriers are experiencing some difficulty during this time. Further study is not needed. It is time to act.

However, we will not find any discussion of airport rents in the Canada airports act, Bill C-27. In fact, the Standing Committee on Transport made another unanimous recommendation: to eliminate the air travellers security charge. This was connected to transferring responsibility from airport security to a multi-modal agency that would be fully publicly funded.

*Government Orders*

The airport security issue is an important one, but we do not charge other people in our society for the cost of security, specifically those sectors. If we look to the model of why this was put in to begin with, on September 11 in the United States there were more people killed on the ground than there were in airplanes and specifically in airports. Security is a huge issue but it should be one that is taken out of general revenue.

Here again, understanding the nature of security at small airports is helpful. Just as a bank has a better security system than a Kool-Aid stand, large airports have better security than smaller airports. In fact, I was in New Zealand just recently and people who travel within the country of New Zealand have no screening at all. Only if they have connections to international flights are they subject to screening. Some cities like Winnipeg have been trying that model, and I think it is a model that would help save some money here in Canada.

The reason I am here today to speak to this bill is that I have a vested interest. I have to confess that quite frankly. My vested interest is that I have an airport in my riding. The airport is in Grande Prairie, Alberta and it is very concerned about the cost the federal government is imposing upon it through what is commonly known as CARs.

This is a situation whereby the federal government is now imposing on smaller airports a five minute emergency response time. One might ask what is wrong with that, but the fact of the matter is that about five or six years ago, when the federal government decided it wanted to offload the airports onto the municipalities and airport authorities, it told those same airports that they would not need to have firefighting units at the airports themselves. They could have them within about a 7 minute to 10 minute timeframe in a nearby city such as Grande Prairie. The airport is almost a suburb of the city of Grande Prairie. So the firefighting department at the airport was closed down. There were considerable savings, which were transferred to the city when it agreed to take over the airport authority as a result of that. That was one of the enticing factors that the federal government used with small airports, quite frankly, to convince the airport authorities to start managing them themselves.

• (1325)

Why has it decided to go back into this business of having these firefighting units right at the airport? Because there was an incident, I think it was in Moncton, a few years ago. Quite frankly I do not believe that even a firefighting unit at that airport would have resolved that problem. However because there was some negative publicity, all of a sudden the federal government reneged on its promises to the airport authorities and told them that they had to go back to this. All the savings that were realized, that were part of the deal that the government offered to take over this airport, now had to be paid for themselves.

I do not think that is fair to small airports such as Fort St. John, Grande Prairie and Fort McMurray. I think a number of airport managers are coming to Ottawa shortly to make this case themselves to the transport minister. If the Minister of Transport wants that kind of response time at the airport and if they are going to have to put in these capital expenditures again after it was all dismantled as a result of the minister convincing these small airport authorities to do just

that, then I suggest he and the Government of Canada better pay those costs.

I personally do not believe a five minute response time is necessary in a city like Grande Prairie where the airport is located just on the outskirts of the city. The response time there for firefighting is about a seven minute but that is not good enough for the federal government. There is a huge cost of roughly \$500,000 a year which that airport authority will have to incur.

There is an issue of fairness here. This is the government that convinced these people, like the airport authority of the city of Grande Prairie, that it should take over the airport. It was downloaded from the Minister of Transport because government was trying to save some money at a time when there was a cost cutting necessity. I have no objection to that but do not impose rules that change the conditions of that transaction which happened only a very short time ago. That is not fair. That changes the rules and puts airports in a position where they cannot operate effectively. If they have to put this capital expenditure in, companies like WestJet will be charged additional fees.

WestJet flies to Edmonton. It is about a half an hour flight by jet. It is a four hour drive. All of a sudden the cost starts to go up. Airport improvement fees, the security tax that the federal government is still imposing on airlines, now there is the added cost of CARs and pretty soon it does not become economical for companies like WestJet to fly to Grande Prairie. What happens is a substantial sector of the economy that makes it very attractive for business people to come to Grande Prairie by jet is killed. Business people will have to charter a plane or a scheduled flight that does not utilize jet traffic because these companies will have been priced out of business.

The government charges such as the airport security tax, airport improvement fees and all the other taxes represent a higher cost than the actual cost of the ticket itself from a company like WestJet. That is not acceptable, particularly when it was this government that told the airport authorities that if they took over the airports, they would not have to have these five minute firefighting response times with facilities right at the airport. They were told they could have it in the city, a short distance away. Now it is changing the rules and that is not fair.

This should be rejected. I know the Canadian Alliance will vote against it and I personally urge other members in the House to do just that because this issue is really an issue of fairness and the government is not living up to its responsibilities.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I greatly appreciate the input from my colleague. He raised that other issue, which is another Liberal broken promise. The government pulls people into this type of thing, it lays out the conditions and then before they know it, the conditions are changed. It really is a broken promise.

I would like to ask the member whether this is anticipated to have an effect in small airports like the ones that he mentioned in Grande Prairie. Is it anticipated that this will actually result in some airports having to shut down because they will not be able to meet that requirement of the response time?

*Government Orders*

•(1330)

**Mr. Charlie Penson:** Mr. Speaker, I would like to thank my colleague for his important question. There are airports, and I am not sure that Grande Prairie is one of them, whose passenger levels are such that by increasing the fees to such an extent, they have to compete with passengers driving to Edmonton, for example.

If fees become too high, whether it is an airport improvement fee, a security charge, this new CARs regulation, at some point it does not make it economical for people to fly to a place such as Edmonton. They will drive instead. Therefore the viability of the airport is in question.

The government has to take a look at this. It has to have some kind of realistic proposals. How is it that the response time in 1997, when the airports were turned over to the airport authorities, was good enough? Then all of a sudden it is being changed and it is no longer good enough. It now has to be a five minute response time.

I would challenge the Minister of Transport to tell the House the last time there was a tragedy or any event at an airport that involved the need to have that kind of response time to the airport. I do not believe Moncton was one of those, the very event that caused the government to react as a result of the incident which occurred there. I do not believe it is.

The answer to my colleague's question is, yes, viability in airports does come into question as a result of government loading more and more fees onto airport authorities.

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, I recognize my colleague's point and acknowledge the fact that, yes, the Government of Canada made a certain statement prior to turning over the airport authority, suggesting that there would be some funding through capital programs but that there would not be changes to the fire regulations and then did make changes.

Does the member feel the safety of the passengers in those planes is important enough to make the changes? What really should happen is the Government of Canada should be offsetting the costs to ensure that those airports can operate.

**Mr. Charlie Penson:** Mr. Speaker, I thank the member for Churchill for her question. I think there are instances where there may not be a proper response time from a nearby facility. Therefore they will have to have facilities at airports.

If the conditions of the agreement, which was reached in 1997, are changing and the federal government is requiring them to go to a response time that it said was not required five years ago, then I believe it is the responsibility of the government to pay those costs. It is really in neglect of the agreement that was reached between the government and that airport authority at the time it was turned over.

In the cases where response time is an issue, it is unfair of the federal government to require the airport authorities to assume that cost. That was not part of the agreement when those agreements were reached.

**Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance):** Mr. Speaker, my question is with regard to the Winnipeg airport authority. It has been asking for rent reductions from the federal government. I see a part of the bill deals with the

government's control over the appointment of boards of directors and airport authorities.

Is the government putting these airport authorities in a no win situation where, if they complain, they stand the chance of having new people placed on the board who will do what the government bids?

**Mr. Charlie Penson:** Mr. Speaker, I do not know. However I would think that there is always that possibility of political influence or interference. We have seen it many times in the past from this government.

The government has put people on boards of directors who seem to have the same philosophy as the government. Is it not strange that the government would do that? It certainly has a way of directing and punishing those airport authorities that do not comply. Just the threat of appointing directors who are friends of the Liberal government is enough to cause concern from airport authorities.

•(1335)

**Mr. John Williams (St. Albert, Canadian Alliance):** Mr. Speaker, I am pleased to engage in the debate on the Canada airports bill. As members know, I am the chairman of the public accounts committee. I am looking at chapter 10 of the Auditor General's report of October 2000. I will be quoting fairly extensively from the report and also the 21st report of the Standing Committee on Public Accounts. The committee tabled its report based on the hearings and so on that we had on the Auditor General's chapter.

I listened to my colleague from Port Moody—Coquitlam—Port Coquitlam who spoke this morning. He said that under this minister's watch eight airlines had gone belly up and that the minister's track record was anything but good.

I thought I should do a bit of research so I took a look at some of the sidebars in the report tabled by the Auditor General in October 2000 on how the department managed or failed to manage the airports. On page 10/7-8, it states:

Airport authorities pay Transport Canada nothing up front for either the use of the airports or the rights to attendant business opportunities—which include the power to set their own user fees.

We have found that the airports have been granted authority under this lease with Transport Canada and they lease out space to businesses that then charge them rent as a sublessee. However nothing flows back to the government. It is a poor manager.

I will be splitting my time, Mr. Speaker, with the member for Kootenay—Columbia.

Going through this report I found a litany of problems, and I will give the House a few more quotes.

On page 10-26, it states that the lack of information on fair market value and the business cases supporting the transfers had serious implications because they did not do a fair market analysis when they transferred these airports to airport authorities.

The government gave them away and said that it did not care what they were worth and it signed the leases. Normally when someone signs a lease an amount of money is paid so the property, equipment or so on can be used. That is the normal way things work.

*Government Orders*

There are a number of airports that are paying negative rent. The landlord is paying the tenant for the right to use the property and the equipment. I have never heard of that before. That is a perfect recipe for Liberal governance or going bankrupt. It is one of the two. It is a perfect recipe for the way this Liberal government manages the resources of the taxpayer of Canada. The government is asking airports to run the operations on its behalf and it will pay them some money to do so. That is scandalous.

On page 10-27 the report states that Transport Canada had yet to determine and update how airport transfers has affected the government's fiscal framework. The government does not have a clue.

On page 10-32 it states, "A key weakness in the renegotiation process was the absence of any independent review and challenge of the final agreements before they were signed". The deals were significantly different than what Treasury Board had authorized.

This is supposed to be the government. This is supposed to be the Minister of Transport's department and we have heard all day about how he has failed Canadians. He does not even follow Treasury Board guidelines far less anybody else's.

There is a litany of stuff in this report. It is incredible when we read it all.

• (1340)

Another quote reads:

It is disconcerting that Transport Canada has yet to establish a proper framework to evaluate and report on the overall financial impact of the airport transfers at any time after transfer over the life of the 60-year leases.

We are signing 60 year leases with these people and we do not have a clue what we are signing. Is that how we should be running the place? Unlike fair market value, book value is what was used, it does not reflect the real worth of the growing concern with its potential to generate substantial revenues. I am sorry but it is just awful.

What I am trying to say is that the management of the airports by that department is downright scandalous. At the public accounts committee we had a Mr. Louis Ranger, the assistant deputy minister of the department. He told us that the regime had borrowed \$5 billion from the private sector without the government having to put a penny into it. What he figured was success was that the airports went out and got \$5 billion worth of debt. By the way, this is why the government made these airports not for profit organizations. Let us remember back to the nineties. When we had a fiscal problem the government demonstrated that little sleight of hand thing. It created another organization and gave it borrowing power so there would be a \$5 billion debt over there that would not show on the public accounts of Canada's books. The government tells us that it is doing a great job and yet the debt is showing up elsewhere.

The government practises sleight of hand accounting, which should not be tolerated, and then brags about fiscal responsibility when the debts are all over the place.

We dealt with the Department of National Defence in public accounts. It created another not for profit, no share capital organization. There were no profits and no share capital and yet,

because it had guaranteed cashflow from the Government of Canada, it borrowed \$742 million from the private sector and we are on the hook for that too. That does not show on the public accounts of Canada.

The department said that it had to renegotiate some of the 60 year leases. Because department officials were the good guys that week, they renegotiated four leases at a cost to the government of \$474 million in foregone rent. We gave the rent back to them after we collected it. How are we supposed to run a business this way? I just do not know how we can run a business this way.

Continuing on with the report from the public accounts, the most important weakness identified by the audit was Transport Canada's failure to determine the fair market value of the assets and business opportunities that it was transferring. It just threw them away. The policy framework for the transfers, including a requirement that the airport value be determined on the basis of fair market value, should have been set up before the negotiations were started, but that was too complex. It would have required some brainpower, some management, some decisions and some professionalism. It did not have any of that so it gave up on that and gave the stuff away. It only looked at some cashflow, the net cashflow and the present cashflow.

In the meantime it gave the airport authority the opportunity to set up stores, businesses and all kinds of other spinoff type revenues and left it at that. By the way, airports are not taxable. They do not pay corporate tax, income tax or any kind of tax. They just collect tax, as we all know.

Just one comment here that we heard in the public accounts. Despite the complexity involved in the turnover in departmental staff responsible for the negotiations, the department did not document how the components of the policy framework were applied to the leases. They did not even write it down. Exceptions to transfer principles also were not documented.

Mr. Ranger accepted that mistake, admitting that he did not think the department would ever have the full picture of how the lease negotiations evolved. He does not know. He did not know and we will never know. That is a serious indictment of the Minister of Transport and his department. He has let things get totally and completely out of hand. This Parliament should not be standing for that.

• (1345)

I hope the committee roasts that guy and the department as it goes through the hearings on the bill.

**Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance):** Mr. Speaker, the member raised the issue of rents. Rents are of particular importance to the operation of an airport because if they are too high the airport will go broke, and of course they cannot pay rent on nothing.

I have to stand up for the city of Winnipeg and for the Winnipeg airport authority because the member for Charleswood—St. James—Assiniboia does not seem to be speaking out on behalf of our airport in Winnipeg. The rent there has been a major concern because it will drive that airport authority to the brink of bankruptcy if it proceeds as planned by the government.

*Government Orders*

I note that in 1997, when our airport authority in Winnipeg took over, the rent was around the \$900,000 mark. Now the government wants to drive it up to around the \$7 million mark. Just like any tenant, if I am charged more rent that the apartment is worth or what I would pay some place else, I will move and the landlord will have nothing.

What does the member think about the government charging rents that are so onerous that in fact it makes it impossible for one of these airport authorities to continue serving the public and the city that it resides in?

**Mr. John Williams:** Mr. Speaker, the answer to that question is obvious. Tenants should not be paying rent beyond what is practical and what is appropriate. I wish the government could understand some simple little concept like that, because, getting back to the Auditor General's report at page 10-21, it states, "From 1992 to 1999"—presumably based on overcharging, as the member pointed out—"Transport Canada turned back or offset a total of some \$246 million to fund shortfalls in revenues of transferred airports".

The airports just about went broke and had to hand them back. Is that how we should run a country? No. In talking about airports, the Auditor General also pointed out on the same page that "the Calgary, Pearson and Vancouver airports accounted for over 95 percent of Transport Canada's total revenues...in 1998". He also said, I believe, that the government could not charge nothing.

What is the government doing? It is paying the tenants to use the property. It is negative rent. I have never heard of such a scandal.

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, the member's scenario kind of reminds us of the old saying that the Liberal government will tax something until it quits moving and then once it stops moving it subsidizes it to get it going again. It is a neverending cycle. That to me seems to be what is going on with these airport authorities.

One of the biggest problems in the bill is that it does not address airports that serve millions of Canadians. It only deals with 28 airports, I believe, and all the rest are left out of this. There are many issues at many of those airports across the country that need to be addressed, and CARs 308 is one of them.

Today we have the firefighters from across Canada on the Hill with regard to the emergency response issue. Does the member have any comments on the fact that the government, when it put these airports out to other authorities to run, said that they did not have to have this type of response and now it is renegeing on that and putting a huge burden on a lot of small airports across the country?

**Mr. John Williams:** Mr. Speaker, that is another aspect of the exact same problem, that the government does not have a clue what it is doing. It has no policy and no vision. It has nothing.

Again I will quote from the Auditor General's report at section 10.19 which says, "A comprehensive national policy on airports did not exist until 1994". It had no policy. It knew nothing about firefighting timelines, financing and borrowing. It had no policy at all. It was strictly ad hoc.

Section 10.19 further states:

Although Transport Canada began the process of transferring airports in the late 1980s and has been leasing out airports since 1992, only in 1994 did it indicate a need for a National Airports Policy.

Save me, Mr. Speaker. In section 10.20 it states:

Transport Canada also noted that in making ad hoc decisions, it had for over 60 years assumed more and more responsibility for airports.

Because it had no policy for what it was supposed to do, it did whatever it figured had to be done every day. Truly, I say, Mr. Speaker, save me from such incompetence.

• (1350)

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, it is very interesting to follow my seatmate, my colleague here, and his comments.

On the issue of the Cranbrook airport, when the city of Cranbrook took over the airport response times were stipulated at that point. Now, as we have just been discussing, response times are totally different. What it basically means is that there was an absolutely unpredictable, unforecastable expense that is now facing the city of Cranbrook and the Cranbrook airport.

I want to speak briefly, in the context of Bill C-27, about the city of Cranbrook and the Cranbrook airport. It is unique, as are all smaller airports, I am sure. It is unique in the fact that the overall airport traffic in the early eighties was approximately 155,000 passengers and today it is down to under 90,000 travelling passengers. This is a combination of two things.

One thing is that at that time, in the early eighties, with the amount of development that was happening in the Crow's Nest and people coming to the Cranbrook airport in 737s from Vancouver and Calgary and then going on up to the Crow's Nest, we had a very large volume of people coming through the airport. That development work has stabilized and now, as a result, we have a very solid employment base. My constituency, I should say, produces about a quarter of the world's metallurgical coal. Therefore, the development has taken place.

Now we end up with the situation that the airlines have chosen, to downgrade from 737s to Dash 8 300s, Dash 8 100s, Beechcraft 1900s and so on, the imperative being that the fewer the number of passengers on the plane the lower the landing fee. Therefore, because the landing fees have been increasing, they have been decreasing the number of passengers as they have been able to.

At the same time the government has consistently increased the taxes on airline travel, to the point that now it costs over \$700 for a round trip between Cranbrook and Vancouver. It is absolutely outrageous. Furthermore, most people end up leaving the Cranbrook area, driving over to Calgary and taking advantage of WestJet and other discount carriers in the area.

In response to that, and because we have so many worldclass recreation facilities, unimaginable ski hills, golf courses, everything anyone could possibly want in the form of recreation in our area, a proposal has been put forward to extend the Cranbrook airport runway from 6,000 feet to 9,000 feet. That would permit charter planes as large as 767s to fly directly from Europe into the Cranbrook airport, thereby bypassing Calgary and coming directly to the worldclass resorts that exist in my constituency.



It is a very worthy and worthwhile project but one can see how, with Bill C-27, which is basically a one size fits all kind of legislation, the requirements for the Cranbrook airport and the rules and regulations that will flow from Bill C-27, which will impact the Cranbrook airport, will be so substantially different than the regulations that would be in Castlegar in the west Kootenays, Cranbrook of course being in the east Kootenays, or I could refer to Lethbridge, which would be the next smaller airport to the east. The requirements for the Cranbrook airport will be so substantially different to the requirements for the Castlegar airport and Lethbridge airport that it is impossible under Bill C-27 to come up with any possible way of establishing proper rules and regulations that would fit all.

I want to read from a briefing note about the Vancouver airport authority. The reason I want to read about that is that the Vancouver airport authority airport services, YVRAS, is an organization that has taken over the management of the Cranbrook airport.

• (1355)

Under section 57, the bill would limit an airport authority's ability to invest in another corporation to 2% of gross revenue a year. The YVRAS is concerned that this clause would limit its ability to finance its projects in Chile, Jamaica, Hamilton and, I am sure if we are successful in the current negotiations, the project in Cranbrook at the same time. YVR writes:

...investment opportunities do not come in neat bundles, nor do they arise every year. This is also a demonstration of an "Ottawa knows better" than the community based board about what is good for the community.

This is part of the one size fits all, only it is more specific to the management of the Cranbrook airport. YVR has been doing a credible job for us. There is a responsibility to the citizens of Cranbrook at this particular time.

With ongoing negotiations between the City of Cranbrook, the Regional District of East Kootenay and other municipalities, as well as provincial and federal governments, to possibly fund the issue of getting the 9,000 foot runway, this insecurity over the funding and the backing of YVRAS is a significant concern to me, representing the people of the east Kootenays.

This bill, as with all bills, misses opportunities. We are looking at the fact that under airport fees, for example, we know that the Cranbrook airport, along with many others, has been hit badly by the Air Canada bankruptcy. The difficulty is that many of the funds were not in a place of trust. If they had been put into a place of trust, these smaller airports would not have been hit in that way.

Although this bill is a sincere attempt on the part of the government, it is seriously flawed and should go back to the drawing board.

**The Acting Speaker (Mr. Bélair):** I would like to inform the hon. member for Kootenay—Columbia that he has three minutes remaining in his speech and is entitled to five minutes of questions or comments after question period.

*S. O. 31*

## STATEMENTS BY MEMBERS

[English]

### ROSEMARY BROWN

**Mrs. Judi Longfield (Whitby—Ajax, Lib.):** Mr. Speaker, I am honoured to rise today to pay homage to Rosemary Brown who died this past weekend.

A passionate woman with a determined vision of equality, Rosemary Brown took on the position of volunteer Vancouver ombudsman as "the challenge I have been waiting for all of my life". She entered provincial politics in 1972 because she was on the board of the Vancouver status of women which urged women to run. In her memoirs Brown wrote: "I have never lost sight of the fact that I was the women's candidate, that they nominated me, worked for me, and elected me".

In 1972 Rosemary Brown became the first black woman to be elected to political office in Canada, winning her seat in the B.C. legislature. She was a tireless leader in the struggle for rights of men, women and children everywhere. Rosemary Brown was honoured around the world for her life work, as well as in Canada where she was named an officer of the Order of Canada in 1966.

Through her sustained efforts she became an inspiration in the field of social activism. Rosemary Brown's goals endure: to push boundaries, to challenge absolutes, and to make equality a reality for every human being.

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### HOLOCAUST REMEMBRANCE DAY

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, April 29 is Yom Hashoah, the Holocaust Remembrance Day. It is a day for commemoration and reflection of the dark days during World War II of the Holocaust.

All Canadians have a stake in remembering the Holocaust and its roots in the racist ideology of the Nazis. Although nearly 60 years have passed since the end of World War II, it is vital to honour the memory of the victims and acknowledge their suffering.

Today teaches us about the universal and enduring lessons on human rights, tolerance and multiculturalism. By 2002 all the provinces in Canada had enacted legislation, the first outside the State of Israel, to allow for an annual day of memory for the victims of the Holocaust.

Canadians have set the example as world leaders in legislating the commemoration of the Holocaust. Through this day and the ongoing education of our children we can remember and strive to make the world a better place.

*S. O. 31*

• (1400)

[*Translation*]

#### JEAN CHAREST

**Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.):** Mr. Speaker, on April 14, 2003, Quebecers elected a Liberal majority government. This Liberal victory belongs primarily to the hon. Jean Charest. We must salute this man who, for the past five years, has been remarkably tenacious, recovering from a number of heartbreaking defeats without ever getting discouraged, always supported by his wife Michèle Dionne, his three children, his father Claude Charest, and the people of Sherbrooke.

Jean Charest rolled up his sleeves and got his party back on the rails. He listened to the people of Quebec and he created a network that enabled him to attract men and women of high calibre.

For the first time in recent history, Quebec will have an elected premier who knows English Canada and knows how to talk to it. Today, hon. Jean Charest will be sworn in as Premier of Quebec. Jean Charest has proven that he is the little guy from Sherbrooke.

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[*English*]

#### HOLOCAUST REMEMBRANCE DAY

**Ms. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, on Sunday this week I had the honour to participate in the Holocaust memorial service at the Etz Chayim Synagogue in Winnipeg. Survivors, the younger members of their families, and young and old from the entire community attended this service to honour the memory of the victims and pay tribute to those who helped. It is particularly important and appropriate that the young remember, along with their elders.

Today in this House we recognize Yom Hashoah, the Holocaust Remembrance Day and pause to reflect upon the days of the Holocaust. We must never forget the losses, the sacrifices, and the heroism of that time. We must never forget the six million Jews who perished. We must never allow the Holocaust deniers any opportunity to spread their lies. We must not tolerate the emergence of what some call “a new anti-Semitism”.

We must continue our efforts in the promotion of human rights, and tolerance in this country and around the globe.

\* \* \*

#### NATURAL DISASTERS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, in the early hours of April 29, 1903, 82 million tonnes of paleozoic limestone descended 1,000 metres from the summit of Turtle Mountain onto the coal mining town of Frank, Alberta, killing 75 people.

Today marks the 100th anniversary of this natural disaster. The Geological Survey of Canada led the first investigation into the Frank slide. Its research to find ways of reducing the impact of catastrophic landslides continues today within Natural Resources Canada. These efforts will help make Canadian communities safer for now and future generations.

Today, let us remember those Canadians who have lost their lives in natural disasters and let us continue to support research that will lessen the impact of natural disasters in this country.

\* \* \*

#### JUSTICE

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, on June 23, 1985, a terrorist bomb killed 329 innocent people on Air India 182. Like other major terrorist attacks on civil aviation, the process of identifying, locating, and bringing to trial those involved is lengthy and complex.

Ajaib Singh Bagri and Ripudaman Singh Malik face charges of murder, attempted murder, and conspiracy in connection with the destruction of Air India 182, and an attack on a second plane in Tokyo.

For many of the victims' families this week marks the start of a trial that many never expected to see. The proceedings will take place in a \$7.2 million high security, high tech courtroom built especially for the case and it is expected to last eight months. The trial will be costly and complex, involving tens of thousands of pages of evidence from years of investigations on three continents and is the culmination of a process that has cost more than \$80 million.

As this trial unfolds, the Canadian Alliance extends our best wishes to the families of the victims of Air India 182 as they seek the answers that will heal their pain and make our skies safer.

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#### HOLOCAUST REMEMBRANCE DAY

**Mr. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, yesterday I participated in the annual Montreal Holocaust Remembrance Day gathering where Canadian Jews, in concert with their fellow citizens, came together to remember horrors too terrible to be believed but not too terrible to have happened; to remember the Holocaust as a genocidal war against the Jews where not all victims were Jews, but all Jews were victims. Six million Jews were killed, of whom one and a half million were children.

We remember each of the six million, not as a statistical abstraction, but onto each person there is a name, an identity, chacun a un nom, une identité. We remember that whoever kills a single person, it is as if they killed an entire universe; and whoever saves a single person, it is as if they saved an entire universe.

We remember the heroic resistance of the starved, decimated Jewish remnant on this 60th anniversary of the Warsaw Ghetto uprising. We remember and we pledge that never again will we be indifferent to racism and anti-Semitism. Never again will we be silent in the face of genocide. We will remember and we will act.

May this Holocaust Remembrance Day be not only an act of remembrance, but a remembrance to act against injustice, against hatred, against racism, and to act for real peace, for genuine human rights, for *tikkun olam*, the betterment of the human condition.

• (1405)

[Translation]

### VOLUNTEERS

**Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ):** Mr. Speaker, each year in Quebec, the last week of April is dedicated to volunteerism.

Can we even imagine our society without the considerable contribution made by the women and men who give generously of their time to accompany patients, to support those who are distressed and lonely, and to encourage and help organize community life in our neighbourhoods?

To all of these people who have understood so well that to give is also to receive, we say thank you from the bottom of our hearts. Volunteers are the real ambassadors of a better world. They are the true ambassadors of the united world that we all want to build.

Since all practical achievements begin with a dream, let us start dreaming that these fraternal gestures will spread and grow, and put a human face on our view of the world.

We applaud the hundreds of thousands of small gestures which, abundantly and freely given, put a smile of hope on the lips and in the hearts of those people who so need it.

Dear volunteers, on behalf of those you help: thank you.

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[English]

### NATIONAL DAY OF MOURNING

**Mr. Carmen Provenzano (Sault Ste. Marie, Lib.):** Mr. Speaker, each year many Canadian workers are killed or injured on the job.

I know I express the sentiments of the House in extending our deepest sympathies to all those workers who are victims of workplace accidents, and to their families and friends.

In 1990 the Government of Canada passed the Workers Mourning Day Act which established an official day observed each year to commemorate the victims of workplace accidents. The intent of the legislation is to make all Canadians aware of the importance of workplace safety and to underline the necessity of taking all measures to prevent workplace injury and death.

Yesterday, April 28, representatives of labour and employee unions and groups, employers and community leaders gathered on the grounds of the United Steelworkers Hall on Denis Street in my riding of Sault Ste. Marie and in locations all across the country to commemorate Canada's National Day of Mourning.

I say to my colleagues and fellow Canadians that we must always be mindful of our collective responsibilities regarding the safety and health of Canadian workers.

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[Translation]

### FIRST NATIONS

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, Canada's first nations and the Canadian Alliance agree that

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the First Nations Governance Act fails to make significant reforms in the following areas: housing, infrastructure, property and women's rights.

Like the Indian Act, this legislation is the result of good but ill-considered intentions. It is being imposed in a mandatory and unilateral fashion. The old legislation has tarnished the past; the new legislation will stain the future.

The government is just tinkering around, when what is needed are real changes. Covering its ears and saying, "I cannot hear you" will not help it to improve the lives of Canada's first nations. Working together will be a step in the right direction. It is time to listen.

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[English]

### HEALTH CARE

**Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.):** Mr. Speaker, on behalf of the people of Flamborough, Dundas, Ancaster and the rest of Hamilton that neighbours my riding, I would like to pay tribute to Charles and Margaret Juravinski for their extraordinary gift to health care in the region: \$2 million to the Hamilton Health Sciences hospital; \$5 million to the Hamilton Regional Cancer Clinic; \$5 million to St. Joseph's Villa, a seniors residence; \$2 million to McMaster University health care; and \$2 million to St. Joseph's Hospital. Thousands are going to benefit for years to come.

The Juravinskis, I should explain, are famous in Canada's horse racing industry for having built, owned and operated Flamborough Downs, one of the premier racing venues in Canada. They owe their success to teamwork, acumen, common sense and luck, good luck that they wanted to share. Well, share they did and it is a generosity that will never reach any finish line.

Thank you, Margaret and Charles Juravinski.

\* \* \*

### ROSEMARY BROWN

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, Rosemary Brown was friend, sister, heroine and mentor to two generations of Canadians, Jamaicans and others with whom she worked in her global pursuit of equality, justice and peace.

An unapologetic feminist, Rosemary dedicated her life as she dedicated her biography proudly entitled *Being Brown* to "women everywhere who strive to change their world".

*S. O. 31*

When Rosemary passed away on April 26, she left behind her a lifetime of activism and accomplishment. She came to Canada from Jamaica in 1951. After completing a degree in social work, she served as a New Democrat in the B.C. legislature, the first black woman elected to office in Canada. In 1975 she was the first woman to run for the leadership of any federal political party, placing second to Ed Broadbent, the successful contender. Following her distinguished career in politics, she served as executive director and then president of Match International and Ontario human rights commissioner.

Even in retirement her energies never flagged in the fight for human rights. But her greatest joy was her family, her husband Bill and three children and seven grandchildren—

● (1410)

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

\* \* \*

[Translation]

### FIRST NATIONS

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, yesterday, several hundred first nations leaders and representatives came to Parliament Hill to voice their strong opposition to Bill C-7 on the governance of first nations.

They vehemently protested the attitude of the Minister of Indian Affairs and Northern Development toward them and the statements he has made.

Bill C-7, which must pave the way for a new relationship between the first nations and the federal government, and one day replace the infamous Indian Act, is, in fact, under the cover of modernity, worse than the legislation it is replacing. It treats the first nations like children. It keeps them subservient and ensures the continuation of the dominant-dominated relationship that has existed for over 130 years.

Our relationship with the first nations must be rebuilt, but on a new foundation of true partnership between two nations, with respect for who the first nations are.

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[English]

### NATIONAL VOLUNTEER WEEK

**Mr. Murray Calder (Dufferin—Peel—Wellington—Grey, Lib.):** Mr. Speaker, April 27 to May 3 has been declared National Volunteer Week.

I rise today in order to recognize the many volunteers who serve in my riding of Dufferin—Peel—Wellington—Grey. Volunteers in my riding come from a variety of social, cultural, business, ethnic and religious backgrounds. Thanks to their commitment and involvement, volunteers have been able to provide the very best programs and efficient services throughout Dufferin—Peel—Wellington—Grey.

I would also like to congratulate those who helped organize special events to celebrate the achievements of the many volunteers

in my riding, such as the region of Peel's volunteer recognition events.

Volunteers give of their time and of themselves to make their communities a better place in which to live. Their hard work and dedication serve as an inspiration to us all.

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### KENNETH SCOTT FERGUSON

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, I rise today to pay tribute to one of Canada's fallen soldiers. Lance Corporal Kenneth Scott Ferguson died in the Netherlands on April 4, 1945 during Holland's liberation from Germany in the second world war.

Next year on April 4, 2004, Lance Corporal Ferguson will have a bridge in the Netherlands named in his honour.

Ferguson would not have been remembered with such an honour had it not been for the help and dedication of retired Regimental Sgt. Major Russ Neal and his dedicated sidekick Gordon Sim. RSM Neal is the curator of the 26th field Manitoba Dragoons Museum located in Brandon, Manitoba. Through their archival research and attention to detail they were able to provide the necessary information to their Netherlands counterpart. If it were not for them, this great honour for one of our soldiers would not have happened.

Let us continue to remember the brave deeds of Canadian soldiers who gave their lives for the freedom we enjoy, who unfortunately many only remember on November 11. Let us remember our heroes in the way Holland still remembers them today. Lest we forget.

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### HEALTH

**Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, SARS has had a great impact on the city of Toronto and in particular the Scarborough area where the first cases of SARS were diagnosed.

Health care workers have been hit in great numbers by this disease due to their close contact with the victims. Many of these health care workers have placed their lives at risk in combating this serious problem.

As a small show of appreciation, the *Scarborough Mirror* newspaper, in conjunction with Toronto residents, has launched a blue ribbon campaign to show support for our health care workers.

I call upon all Torontonians and indeed on all Canadians to show their support for our health care workers by proudly wearing a blue ribbon during this crisis situation.

\* \* \*

● (1415)

### MINISTER OF CANADIAN HERITAGE

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, the heritage minister is both dead right and dead wrong.

*Oral Questions*

She was dead right yesterday in her unprecedented attack on the health minister concerning the SARS file. She correctly observed that the health minister was absent. We also note that as a result of the health minister's inaction, Toronto and Canada have a terrible black eye.

However the heritage minister is dead wrong in her position on foreign ownership of telecommunications and broadcasters. The Liberal industry committee chairman correctly observed that the foreign ownership restriction should be dropped. My Canadian Alliance colleague stated it more clearly: "It is time to take off the shackles".

If Canadians believe that content restriction should apply to what people can view in their living rooms, this can be accomplished through regulation of broadcast distribution and broadcasters. Ownership has nothing to do with it.

The heritage minister is living in the past when the CBC was the only on-air broadcaster available in living rooms. When is she going to wake up to the fact that we live in a world of digital communications?

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## ORAL QUESTION PERIOD

[English]

### HEALTH

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, in lifting its travel advisory against Toronto, the World Health Organization again called for proactive screening for interviews of outgoing passengers at Canadian airports.

Will the health minister finally relent, accept this advice and fully implement screening and full interviews of outgoing passengers at Canadian airports?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I would like to take the occasion to thank Dr. Brundtland who responded very quickly to the request to review the decision.

The people of Toronto, the people of Ontario and the people of Canada are very happy that through the work of the municipal, federal and provincial governments together we have managed to achieve that success very rapidly. Of course it will never be good enough for the guys who are slipping all the time in the polls in Canada, the Alliance Party.

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, we on this side also thank the Canadian officials from the Ontario government who bothered to go to Geneva.

On March 27 the World Health Organization recommended interviews with outgoing passengers at Canadian airports. We in the Canadian Alliance called for it the same day. The advice has been ignored. It has been recommended again today.

I ask the Prime Minister since he rose, is he going to follow this advice finally or not?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I rise to thank Ambassador Sergio Marchi, our representative in

Geneva, who has done an excellent job since last week working in Geneva to make sure that we would have the result we have.

Of course, when there are things that have to be done, what can be done, we will do it. I think that we have been praised, the federal government, provincial government and municipal government by all the international organizations to have done an excellent job under extremely difficult circumstances, something that the opposition does not want to recognize.

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, the Prime Minister still did not answer. The World Health Organization not only recommended this a month ago, according to Dr. Gro Harlem Brundtland when she said today that she advised the Prime Minister and the health minister of the need for this screening on the telephone last week, yet the health minister feigned complete ignorance of this in the House of Commons yesterday.

Will she admit what the heritage minister has already admitted, that her inaction has cost this economy billions of dollars? Brutally incompetent, she misled the House and she should resign over her handling of this.

**Hon. Anne McLellan (Minister of Health, Lib.):** Mr. Speaker, let me reassure this House that in fact we were the first country to respond to the WHO's recommendations in relation to screening. I go back to the fact that the WHO and its chief communicable diseases unit applauded the screening measures both inbound and outbound.

As Dr. Brundtland and I discussed last week, as the Prime Minister and Dr. Brundtland discussed, and as my colleague Tony Clement and I have discussed, we are learning more about the control and containment of this particular infectious disease every day.

I have said in this House over and over again, and members may check *Hansard*, that we review our measures and as appropriate we enhance them. That is what we will do.

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, on April 23 when asked if Canada was notified about the WHO travel advisory, Dr. Heymann, who the minister is so fond of quoting, said yes, they had been informed, 24 hours in advance.

Is the minister now saying that Dr. Heymann cannot be believed?

● (1420)

**Hon. Anne McLellan (Minister of Health, Lib.):** Mr. Speaker, I am not saying that Dr. Heymann cannot be believed but I will absolutely say and the WHO said last week that in fact they may have acted too quickly and they may have acted without complete information.

As the Prime Minister has said here, today we should be applauding the WHO for being open to reassessing the travel advisory in relation to Toronto.

*Oral Questions*

It would be nice if the world were as simple as the opposition suggests, but as everyone says, including Dr. Brundtland today, we are learning more about the—

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

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, the travel advisory is there because there is no screening at the airport. When the WHO travel alert on Toronto was announced on April 23, 20 countries had already issued travel advisories to Toronto or Canada. Among these were Australia, Austria, France, Ireland, Italy, Luxembourg, New Zealand, Malaysia, Singapore, South Korea, Spain. Should I go on?

How can the health minister claim to be surprised by the WHO ruling when so many countries had already issued their warnings?

**Hon. Anne McLellan (Minister of Health, Lib.):** In fact, Mr. Speaker, as I have said before, at no time did the WHO indicate to us during our conversations, some of which we had on a daily basis, that it was contemplating issuing a travel advisory against the city of Toronto. In fact, part of my discussion with Dr. Brundtland was to request a notification procedure which was transparent and gave national governments sufficient notification to respond to a proposed travel advisory. I understand that Dr. Brundtland has accepted that recommendation.

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[Translation]

**TAXATION**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister continues to favour ad hoc agreements with Quebec and the provinces, particularly where health is concerned. The Séguin report indicates that the unpredictable fluctuations in federal transfers have destabilizing effects on service delivery, and these affect the users of those services.

Instead of leaving federal health care funding at the mercy of Ottawa's whims, could the Prime Minister not address the underlying problem and eliminate fiscal imbalance, on which there is already a consensus in Quebec?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, as far as stability is concerned, we have just signed a five-year agreement, which is a rather convenient period as far as budgeting is concerned. I think that this is what we usually do.

As for the matter of an excessive surplus in Canada, that is because we were successful in reducing the debt, lowering taxes, and in particular lowering interest rates so that there will be more transfer payments, a big boost to the treasury of each province.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, in connection with the latest health agreement, Premier Charest had this to say:

Unless new solutions are agreed to, we will see a repeat of what happened at the last federal-provincial conference on health. The provinces will beg for funding in areas that are under their own jurisdiction, the federal government will try to cut a deal...and we will again end up with stop-gap solutions.

Since planning is key to providing the best patient care possible, why does the federal government want to keep on being the one to decide whether or not Quebec and the provinces will be in a position to reinvest in health?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I think that the total we are going to be transferring to the provinces for health over the next five years is \$32 billion or \$34 billion. These are huge amounts which, over a period of five years, will make it possible for the provincial governments to make all possible reinvestments within a time frame that is totally acceptable.

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, it is the government that provides these services to the public that must have the financial resources needed to do so. Conversely, the government that is not responsible for them must withdraw.

Will the Prime Minister acknowledge that the best way to ensure quality services for the public is for the responsible government to have access to the required resources through adequate tax fields?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, they already have adequate tax fields. All levels of government can raise or lower taxes. This decision is up to the federal or provincial governments.

They have the option of raising their taxes if they do not have enough money. They do not want to do so. They would prefer us to raise our taxes and send them a cheque. Clearly, this would be the best solution for them. However, it would not be very practical for us.

• (1425)

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, is the Prime Minister able to comprehend that in order to plan their health services, for example, the provincial governments need access to an adequate tax field, rather than having to beg for money from Ottawa all the time, and never knowing how much the federal government will be in the mood to give?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I find it funny that the member raises the issue of tax fields. When it comes to corporate taxes, income taxes and sales taxes, the provincial governments have the exact same powers as the federal government.

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[English]

**HEALTH**

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, I say to the Prime Minister through you that if the Minister of Health is not prepared to admit that she did not get it quite right and should have instituted screening and should commit to instituting screening now, perhaps the Prime Minister should be calling for the Minister of Health's resignation if she is not prepared to learn from her mistakes and we all have to learn for her.

*Oral Questions***MEMBER FOR HAMILTON EAST**

I want to ask the Prime Minister this. He was in Toronto this morning and he announced that he is willing to change EI regulations in order to make life easier for those affected by the SARS crisis. Yet he will not announce an aid package for Toronto. He says the law prevents him from doing it. If he can change EI regulations, why can he not change the law with respect to aid packages? We on this side of the House would agree. What is the problem over there?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I met with the premier and the mayor this morning. They were not excited like the member is. They know that we have to work in collaboration to resolve the problem, and because there was good collaboration between the provincial government and the municipal government and the federal government, we are moving out of this crisis. We had a problem with the World Health Organization a few days ago, but we worked effectively and it has been resolved this morning. I think he should rejoice rather than be mad.

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**NATIONAL DEFENCE**

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, all the people in Toronto who are affected are not rejoicing. I will try to contain my excitement but not my agitation about a federal government that refuses to show leadership on a problem as serious as this.

I want to ask the Prime Minister a question on another matter. The former minister of finance has said that Canada has been asked to participate in Star Wars in the NMD and that if he were prime minister we would be participating.

The Prime Minister has always said we have not been asked yet. Have we been asked? If we have, what is the government's position? Is it the same as that of the former minister of finance?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, there is a possibility of a discussion and we have not started discussions. People do not want to look at a problem when they do not know exactly what the requirements will be. Perhaps the wise thing to do is to try to find out what they are asking of us, if they are asking anything. I do not know why he is excited again. He does not know the substance of it. Let us wait to know if they are asking for something or nothing.

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**HEALTH**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, in January the minister of international development visited China. During that visit did she become aware of any information regarding the early stages of a new, unexplained, infectious disease in China? Did she, either during her trip or upon her return to Canada, discuss with her colleagues or her officials the potential implications for Canada of the new disease she had heard about in China?

**Hon. Susan Whelan (Minister for International Cooperation, Lib.):** No, Mr. Speaker.

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, my question is for the Prime Minister. Page 2 of the Prime Minister's own guide for ministers and secretaries of state says, and I quote: "Ministers cannot dissociate themselves from or repudiate the decisions of their Cabinet colleagues unless they resign from the Cabinet". Has the minister of heritage resigned or do the cabinet guidelines mean nothing at all?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the answer is no, she is in the House of Commons.

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**INDUSTRY**

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, yesterday the Standing Committee on Industry, Science and Technology recommended to entirely remove the foreign ownership restrictions on telecommunications and broadcasting distribution companies.

There has been much discussion about this issue in the media, particularly with a certain leadership race underway. The Minister of Industry failed to endorse these recommendations yesterday, so I am wondering if after 24 hours of reflection he endorses these recommendations by the industry committee or does not.

● (1430)

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, first I want to thank all members of that committee for the work they did on that subject. I am very grateful for the report, a very complete report. What I liked most about it is that the committee was prepared to take on this tough issue and to challenge the status quo and accepted notions. I am very grateful for its advice.

As for the response, I know the committee would want me to take as much care with its report as its members put into preparing it. I am going to do exactly that. I am going to speak to the people who are involved, discuss it with my caucus and cabinet colleagues and respond at the appropriate time.

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, the results of this study should be known to the minister because it was he himself who asked the committee to study it. He should be prepared to be as bold as all the industry colleagues who recommended that.

The telecommunications and broadcasting industries are very supportive of this report. The government and the cabinet are the only groups that are divided and delaying on this issue, so my question for the Prime Minister is simple. Who in the cabinet is responsible for this issue, the industry minister or the heritage minister?

*Oral Questions*

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, the member is overlooking the fact that apart from dealing with foreign ownership, the committee also recommended a wholesale review of the mandate of the Department of Industry and the CRTC. If he does not think we should take some time to consider its recommendations, I do not think he is being fair to the committee and its very important report.

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[Translation]

**EMPLOYMENT INSURANCE**

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, with respect to the legal challenge on the use of the employment insurance fund surpluses, the federal prosecutor has pointed out that the Parliament of Canada has “full powers of taxation”.

What the federal government has always denied, what we have known forever, and what its prosecutor has just confirmed in yesterday's comments is that employment insurance is no longer a type of insurance, but has become nothing more than a tax. Is the government finally prepared to admit this?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** No, Mr. Speaker, but it is a program. Even in the budget we brought down in February, we announced that we were going to try to set the employment insurance rates so that costs are more or less equalized, which was the intention of this program.

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, the same prosecutor also said that the fact that the system may be more or less generous is a political matter; it is not a matter for the courts but for Parliament.

Is the government finally going to admit that it has deliberately transformed the employment insurance program into a tax, and not only that, but a very unfair tax into the bargain?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I believe that what we are trying to do is to develop a program that meets the basic needs of the unemployed, and also ties the level of premiums paid by employers and employees to the benefits paid out by the program.

That is exactly what the auditor general suggested and that is what we are doing.

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[English]

**FISHERIES**

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, the Minister of Fisheries and Oceans stood up yesterday and stated that his first plan of action in setting up a seal exclusion zone would be to, and I quote, “ask” the seals “to leave”. He makes a mockery of the plight of the east coast cod fishermen and factory workers.

The minister is quick to make announcements regarding the cod closure. Could he please advise the House of exactly how he plans to exclude the seals?

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, what I have indicated in St. John's and again in

Quebec is that we would be investing \$6 million in working in research, working with the provinces and working with the industry to delineate what these zones should be and what would be the best technologies, the best methods and best tools to effectively have seal exclusion from the most critical areas.

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, once again the minister is demonstrating that he is not interested in the advice of scientists. If he were, he would have listened when they urged him not to shut down the whole fishery. But it does not take a scientist to know that seals are pretty good swimmers.

The minister has done a bang-up job excluding the fishermen, but he cannot tell us how he plans to exclude the seals. If the minister has a plan, let us see it. Or does he believe seals are more important than people?

● (1435)

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I will take this opportunity to correct the member. I recognize that he is erring in believing that I did not take the advice of scientists: I did not take the advice of people who were recommending that I not follow scientific advice. I precisely followed the advice that suggested the fishery at any level was not sustainable, that it should be closed and that we should take additional measures, like no dragging areas, like seal exclusion areas, and like action on caplin. That is precisely the advice I followed.

\* \* \*

[Translation]

**CANADIAN HERITAGE**

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, in answer to my question about the \$25 million in cuts to the Canadian Television Fund, the Minister of Canadian Heritage said that the private sector has increased its contribution and that, consequently, no impact would be felt.

However, outside the House, the Liberal leadership candidate has led us to believe that she is aware that the \$25 million cut would be felt.

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, the government knew that Radio-Canada's budget was increasing despite the cuts. This means that, in French, most of the projects approved are Radio-Canada's, and this creates an imbalance in the system.

For this reason we have asked all the fund partners to try to find a solution to ensure a balance between the independent producers and all the television stations.

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, that is not what the minister is telling us when speaking as a Liberal leadership candidate.



*Oral Questions*

Who in this government should we believe? The Minister of Finance, who says that \$75 million is better than nothing, or the Minister of Canadian Heritage, when she says that she is going to fight to restore this funding? Which of them should we believe? The Minister of Finance or the Minister of Canadian Heritage?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, we are working together to find solutions because we know quite well that creating jobs in this sector is important for Canada.

\* \* \*

[English]

**GOVERNMENT CONTRACTS**

**Mr. Grant Hill (MacLeod, Canadian Alliance):** Mr. Speaker, the former health minister hired Joanne Meyer under suspicious circumstances to work on aboriginal health. We waited for weeks for a report from the current health minister to explain why. That report did not explain it at all. Let me give her an opportunity to answer to the House today.

Why was Joanne Meyer not hired directly rather than through an auto restoration firm in Winnipeg?

**Hon. Anne McLellan (Minister of Health, Lib.):** Mr. Speaker, I promised the hon. member and others in the House that we would collect the facts in relation to this situation and we did that. We have provided those facts. I think the evidence is clear.

We indicated the contractual relationships that were entered into. There were some questions that needed to be addressed in relation to Treasury Board procedures. However we were very forthcoming in setting forth also the processes that we had put in place in the department to ensure everyone was aware of Treasury Board contractual procedures.

**Mr. Grant Hill (MacLeod, Canadian Alliance):** Mr. Speaker, the report was forthcoming all right. Per diem rates were broken, Treasury Board guidelines were ignored, \$560,000 worth of taxpayer money were put on the line and two companies were used to hide the identity of this employee.

My question stands. Why was Joanne Meyer not hired directly under her own name rather than these other companies? What is the minister over there trying to hide?

**Hon. Anne McLellan (Minister of Health, Lib.):** Mr. Speaker, I think it is amazingly inappropriate for the hon. member to impugn the motives or integrity of either the former minister of health or the employee in question.

We have investigated these contracts. The facts are there. The contracts are outlined. The amounts of the contracts are outlined. We have in fact put in place revised contractual procedures within our department to ensure that everyone is aware of and proceeds in accordance with Treasury Board guidelines.

\* \* \*

**HUMAN RESOURCES DEVELOPMENT CANADA**

**Mr. Walt Lastewka (St. Catharines, Lib.):** Mr. Speaker, as you know, this is National Volunteer Week. Between 1982 and 1990, the Government of Canada recognized the contribution of Canadian volunteers. Last year the Minister of Human Resources Develop-

ment launched the Thérèse Casgrain Volunteer Award to recognize the valuable work of Canadian volunteers.

Could the minister inform the House on the status of this award and who the recipients will be this year?

• (1440)

[Translation]

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Absolutely, Mr. Speaker. It gives me great pleasure to pay tribute to this year's two recipients of the Thérèse Casgrain Volunteer Award.

[English]

Margaret MacGee of London, Ontario is a founding member of the Ontario Block Parent program, which has helped to make communities safer for over 30 years.

Desmond Dyllon of Gander, Newfoundland and Labrador has helped provide aid to thousands of victims of disaster situations through his work with the Canadian Red Cross.

[Translation]

Thanks to the exceptional contribution of volunteers like them, Canada is one of the best countries in the world.

\* \* \*

[English]

**ABORIGINAL AFFAIRS**

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, the Minister of Indian Affairs and Northern Development bragged about his so-called consultation on Bill C-7. The fact is that out of 89 individuals and 175 organizations appearing before the standing committee on the FNGA, only 10 were in favour of the bill, and that includes the minister and his officials.

The minister ignored this consultation and ignored the thousands of protesters across the country yesterday whose signs of FNGA NFG clearly showed that first nations leaders and members do not want this legislation.

The minister says that the status quo is unacceptable. That status quo was a Canadian government plan. Why is the minister—

**The Speaker:** The hon. Minister of Indian Affairs and Northern Development.

**Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, as I said yesterday and I will repeat today, this is way too important to trivialize the work that we are trying to achieve on behalf of first nations people.

It is safe to say that we all agree that the status quo is not sustainable. We have to find ways to work with aboriginal people to improve their fundamental governance structures which will also help to improve their economic opportunities. That is the mission of the government and should be the mission of all members of Parliament in the House.

*Oral Questions***HEALTH AND SAFETY**

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, when it comes to emergencies and disasters, firefighters are always among the first responders, and the level of training they have will, to a great extent, determine the level of danger for the population.

In the 1990s American firefighters developed a highly successful training the trainer program for hazardous materials, including weapons of mass destruction, and biological and nuclear hazards. Canadian firefighters want to import the program but await an answer.

I ask the minister responsible for emergency preparedness when his government will provide the modest half million dollars necessary for Canadian firefighters to participate in this hazardous training program.

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, the government certainly supports this initiative. As to the proposal the hon. member is putting forward, I will have to report back to him.

\* \* \*

**FISHERIES**

**Mr. Loyola Hearn (St. John's West, PC):** Mr. Speaker, the Minister of Fisheries and Oceans closed the cod fishery in the gulf and in 2J3KL, putting hundreds out of work. The Minister of ACOA chipped in with a handful of job creation programs. This approach is the direct opposite of that recommended by all directly and indirectly involved with the industry, including the minister's own committees.

Will the minister now admit his mistake, change his mind and discuss a more satisfactory approach to this issue?

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, the member will recognize that my job as Minister of Fisheries and Oceans first and foremost in respect to those communities is to ensure a proper protection and conservation of those stocks, so there can be a fishery in the future for this generation and for others. That means taking responsible measures now. Sometimes that means short term sacrifice.

This was a very difficult decision, which will have dire impacts on those communities. I am proud of the work of my colleague with ACOA and my colleague with DEC who will work effectively with the communities to respond to those needs.

\* \* \*

**NATIONAL DEFENCE**

**Mr. Bill Casey (Cumberland—Colchester, PC):** Mr. Speaker, yesterday the Minister of National Defence said that NATO was not going to do any heavy lifting for our forces in Afghanistan but indicated that Germany might.

Is the government now asking the Germans or other allies to transport our forces and supplies to Afghanistan?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, I have to inform the hon. member that neither Germany nor NATO is going to do any lift, heavy or otherwise, of our troops. NATO, and we are very pleased with this decision, is taking a major role in Afghanistan which will ensure the continuity of the missions

of a number of western countries and provide security to that country.

Germany, on the other hand, is now the lead nation. I will be meeting with my German counterpart in the next few days and we will be working with the Germans in the security mission in Afghanistan.

However neither of those two entities has anything to do with lift.

\* \* \*

●(1445)

**PUBLIC WORKS AND GOVERNMENT SERVICES**

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, under Canada's proceeds of crime law, police seize millions of dollars worth of houses, cars and other property bought with the profits of crime. Over the last 10 years, the value of the property has grown steadily but public accountability has not.

The system is ripe for abuse. Why has the federal government failed to establish a clear public process as to how these assets are disposed?

**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, the Department of Public Works has a role to play in terms of the disposition of assets of this kind. I would point out that the act itself is up for review to determine its adequacy in the circumstances of our modern society.

My department takes the step of reporting annually on how these matters are handled. We are certainly aware of the concerns that have been raised and are anxious to make sure that our law and our procedures are adequate to cope with modern circumstances.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, 10 years have passed and there is no legislated requirement for any public reporting of how assets are seized and how they are disposed. In this secretive, unchecked environment, an Ontario police officer was able to purchase, at a bargain price, a house seized from a drug dealer.

Why has the government failed over 10 years to take the necessary steps to ensure that this law does not promote the corruption of our justice system?

**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, with respect to the specific circumstance to which the hon. gentleman refers, I am advised that matter is in fact under investigation by the Ontario Provincial Police. They will of course do their job.

In terms of the broader issue, public works does report on seized property activities annually. That is done in the normal course to the public accounts.

*Oral Questions*

I hear the hon. gentleman express a serious concern about transparency in terms of the administration of justice and in the administration of assets that come within public ownership. I take his point seriously. I think it needs—

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

\* \* \*

[*Translation*]

**GASOLINE PRICES**

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, normally when the price of a raw material rises, profit margins for corporations in that sector shrink, because competition plays a significant role in keeping consumer costs down. However, in the oil and gas sector, the opposite has occurred.

How can the Minister of Industry refuse to admit that the matter needs to be investigated by the Competition Bureau when oil and gas companies' profits have tripled at the same time, especially based on their refinery margins, at a time when the price of gas at the pump has risen dramatically?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, regulating retail gas prices is the jurisdiction of the provinces. In fact, Quebec has already created the Régie de l'énergie to monitor the situation. We must let the provinces look after their own jurisdiction and not interfere in this area.

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, oil and gas companies have used a significant increase in the price of crude oil as an excuse to inflate their profit margins for refining and hide it all behind increases in the price per litre at the pump that have all happened at the same time, in the same place and to the same degree.

Does this series of great coincidences not suggest to the minister that there is cause to doubt the competition that is supposed to exist between these corporations, when they have all at the same time tripled their profits over last year?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, the Competition Bureau has monitored the situation and is constantly following the markets. However, the hon. member's fears concern retail pricing. Again, this is a provincial jurisdiction. I emphasize that we must respect provincial jurisdictions. This is fundamental for us.

\* \* \*

[*English*]

**AGRICULTURE**

**Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance):** Mr. Speaker, the minister's agricultural policy framework will eliminate the provincial companion programs.

The Ontario Federation of Agriculture is opposed to Ontario signing the implementation agreement because the new programs are less effective. A recent report from the George Morris Centre, paid for by the agriculture minister, will not change the fact that the proposed programs are unacceptable to farmers.

Why would the minister try to impose programs on the provinces that are against the best interests of farmers?

● (1450)

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I think the hon. member was been briefed and was at the standing committee when I explained that the companion programs that the provinces had at the present time, if they had requested them and they all had, could continue for a transition period of over three years. After that, if the provinces wish to continue them on their own, if they are interested, they can.

Also, I think the hon. member needs to read the last part of the sentence in the report to which he is referring. It states:

—it is clear to us that the proposed new programs better achieve the six objectives of business risk management as agreed to by the Federal and Provincial Ministers in Whitehorse.

**Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance):** Mr. Speaker, that does not change the fact if the farmers do not accept the programs.

Let us talk about the dairy industry for a moment. In 1995 the government signed the WTO agreement that failed to protect Canada from imports of dairy substitutes. The import of butteroil/sugar blends has reduced the market share for Canadian dairy farmers, resulting in lost income.

Why is the government doing nothing to correct its incompetence at the international negotiating table?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, there has been a working group in process, involving four ministries of the government and the industry, looking at how we can try to address this concern that the dairy industry and we have.

As everyone in the House has been told a number of times, the report of that working group will soon be coming forward to the industry and to the House.

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, as the House knows, an independent study has been concluded on the business risk management component of the APF.

Can the Minister of Agriculture and Agri-Food tell the House if a report has been released and if so, does the report give credence to farmers' concerns or does it portray a positive program for farmers as we move into the future?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I am pleased to say that the third party review did determine that the new program design would be a major improvement over the status quo. It concluded that the new program would better stabilize producers' incomes across commodities, better direct funds to areas of need, treat producers more equitably across the country and across commodities, be simpler for both producers and administrators, and help producers in their long term planning.

This review should certainly give the producers a high level of comfort so that they realize that under the agriculture policy they will have access to more effective programs to increase their profitability.

*Oral Questions***FOOD LABELLING**

**Mr. Ted White (North Vancouver, Canadian Alliance):** Mr. Speaker, last Friday the first cruise ship from Alaska arrived in Vancouver, but instead of working to help develop this critical west coast industry the Liberal government has created a complicated new set of regulations which is causing major problems for suppliers and the cruise lines themselves.

Why is the government insisting on completely illogical labelling requirements for food shipments on their way from the United States to cruise ships when there is absolutely no evidence of past, present or future problems?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, there have been regulations in place all the time. We certainly know that the situation at the border for food products and other products crossing the border in both directions is under further scrutiny now because of the realities of today.

We will ensure that those regulations are in force so that we can ensure to the consumers of those products on the cruise ships that the products are properly supplied, and properly meeting safety regulations and labelling standards that are required.

**Mr. Ted White (North Vancouver, Canadian Alliance):** Mr. Speaker, the minister knows very well that this whole situation is nothing more than a very creative and entirely unnecessary application of regulations that were never designed for the cruise ship industry. As a result, some cruise lines are already bypassing Vancouver to re-provision at ports in Alaska.

The minister will be responsible for a lot of lost jobs in Vancouver this year, so why will the minister not just pick up his pen today and rescind these regulations which have no business interfering with our cruise line travel?

• (1455)

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I am not about to ask the government or suggest to the government or anyone that we rescind regulations that are in place to ensure that food products are labelled properly so that we can ensure that they are safe for the consumers of those products.

There is a responsibility for all of us to do that. I cannot believe that the hon. member over there does not think that is important because on this side of the House we think safety of food and safety overall is important.

\* \* \*

[*Translation*]

**THE ENVIRONMENT**

**Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ):** Mr. Speaker, this week we had confirmation that the TCE contamination at Valcartier military base has reached the Jacques Cartier river in the Quebec City area.

In response to a Bloc Québécois question on May 28, 2001, the Minister of National Defence assured us that decontamination would be carried out.

Is the minister prepared to admit that the measures taken by his government have proven ineffective, and will he tell us what he

intends to do to decontaminate the military base and the Jacques Cartier river, which his own department contaminated?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, I cannot admit such a thing, because it is not true. We have in fact been proactive and receptive in connection with this matter, and this has been the case for some years.

The department has, moreover, notified Environment Canada, the Quebec department of the environment and the municipalities of Shannon and Donnacona of the results of analyses relating to the Jacques Cartier river.

We are all working together on this.

\* \* \*

[*English*]

**EMPLOYMENT INSURANCE**

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.):** Mr. Speaker, excessive employment insurance premiums rob taxpayers twice: once on their paycheques and the other on their property taxes.

Excess EI premiums paid by municipalities and their employees means higher property taxes which are diverted into Ottawa's consolidated revenue fund. Property taxes were never intended for this purpose. Last year Ottawa siphoned over half a million dollars from Saskatoon's property tax base.

Why is the finance minister using EI deductions to double-dip into the pockets of commercial and residential property owners?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I honestly do not know what the member is talking about. Perhaps he could inform me and I will try to answer his question.

\* \* \*

[*Translation*]

**NATIONAL DEFENCE**

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, the newspapers report that the government wants to abandon its long-standing reservations concerning the American anti-missile shield project. According to the defence minister, this flip-flop is justified because of significant changes in the geopolitical situation.

Can the Prime Minister inform us of the government's official position on this matter?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the Prime Minister has already replied to this question in the House. It is in the interests of Canada and Canadians to examine all proposals for the defence of Canada, in cooperation with our North American partners.

We are in the process of deciding whether to hold discussions on whether there is a reason to take action. We do not expect to take a decision any time in the near future, but the government never rules out possibilities that would protect Canada and increase protection for Canadians.

*Points of Order*

[English]

**FOREIGN AFFAIRS**

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, the government whip is quoted as saying about Canadian Maher Arar:

We were astounded that the U.S. deported him. But now that he's in Syria, there's not much we can do for him

What is astounding is that the government told Mr. Arar's family to be patient for six months, that Canada was doing everything it could to get him home.

I ask the Prime Minister, if shrugging it off when a Canadian citizen gets shipped off to an authoritarian state, stripped of his rights, and tried in secret, is everything the government could do, then what would doing nothing look like?

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, doing nothing might be when I spoke personally to the minister of foreign affairs of Syria about this, when our ambassador has attended regularly on Mr. Arar's behalf, and when we have made regular representations to the Syrian government.

Mr. Arar has been constantly in contact with our representatives. We are doing our very best. I took it to the minister of foreign affairs of Syria and said that if the Syrians had a case against Mr. Arar, they were to make that case in court and enable Mr. Arar to defend himself or to have him returned to us. As it is, they are now saying they intend to make a case. They are entitled to do this. We asked them to move as precipitately as possible and we will continue to protect his—

**The Speaker:** The right hon. member for Calgary Centre.

\* \* \*

• (1500)

**HEALTH**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, will the beleaguered Minister of Health acknowledge that the lifting of the World Health Organization travel advisory comes with a condition? Will she admit that the condition is enhanced screening of air passengers? Will she admit that it is precisely what she has repeatedly said was not necessary? And will Canada now accept that condition?

**Hon. Anne McLellan (Minister of Health, Lib.):** Mr. Speaker, we have checked with the WHO and its travel advisory is unconditional. However, what Dr. Brundtland made very plain, as one would sensibly make plain in relation to any of these situations, is that simply because the travel advisory has been lifted does not mean that ongoing vigilance is not required.

Therefore, we must continue to be vigilant around community spread and we must continue to be vigilant around screening both in and outbound passengers. I have indicated that we will intensify our screening procedures at—

**The Speaker:** The hon. member for Medicine Hat.

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, I want to thank the health minister for showing up today.

I hope the minister will clear up confusion over the extension of the EI benefits relating to SARS. The Prime Minister has announced changes to EI caused by SARS related layoffs.

How will the minister determine that a layoff was caused by SARS as opposed to non-SARS related difficulties at a business? Will this just affect people who have been quarantined because of SARS and SARS patients or will it go well beyond that into the business community and again people who have been affected by the economics of SARS?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, I am happy to clarify for the hon. member two things.

First of all, the department acted expeditiously in waiving the two week waiting period for those who were under quarantine due to SARS. This allows them access to employment insurance immediately as opposed to waiting for two weeks.

Recently, the Prime Minister has been concerned about health care professionals and I think the whole House would join in congratulating Canadian health care professionals who have served us very well in this crisis.

For any who have not got the required hours to obtain special benefits, they will be provided with them.

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**POINTS OF ORDER**

## ORAL QUESTION PERIOD

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, yesterday the Minister of Health—if I can get her attention, she is not going to get a Tony award for this—accused me of a “fabrication”, which is a word that I believe to be unparliamentary. I wonder if after consideration she would do the appropriate thing and withdraw that word.

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I believe that this issue was raised yesterday. At that time, on behalf of my colleague, I responded. This was one of those matters in which the Speaker interpreted the issue. Today we have the right hon. member again substituting his interpretation for that of our Speaker. I have confidence in what the Speaker decides in these matters. I believe he did decide yesterday and if he ever decides otherwise, I believe it would be the Speaker who would inform us and not the right hon. member for Calgary Centre.

**The Speaker:** Order. The Chair indicated it would take the matter under advisement and get back to the House if necessary. I did not get back to the House because I did not regard it as necessary and I will give reasons now that the matter has been raised again.

### *Government Orders*

Beauchesne's was cited by the hon. member for St. John's West in raising the matter yesterday. He referred to one of the citations and I will refer him and the right hon. member for Calgary Centre to citation 492, which states, "The following expressions are a partial listing of expressions which have caused intervention on the part of the Chair as listed in the Index of the *Debates* between 1976 and 1987", and "fabrication" is one of them. It caused interventions, but it was not ruled out of order. The word also occurs in another list, where it has been ruled unparliamentary; at least fraud was, and fabrication was at citation 489 of Beauchesne's, which I believe is the one referred to the other day by the hon. member for St. John's West.

But I note that because of the inconsistency in the use of these expressions, at least in terms of the Chair's dealing with them, I did not think it necessary to intervene. I note that under citation 488 there is a list of expressions which have been ruled unparliamentary consistently by the Chair, and I note none of them were used, for example, "a bag of wind" or "inspired by forty-rod whiskey". I am sure that no hon. member of the House would suggest that anyone, on either side of the House, was inspired by forty-rod whiskey, which would be unparliamentary and quite improper.

I rely on the various citations in Beauchesne's in reaching a conclusion that while the hon. member may take some offence at the language, and we all do sometimes at things that are said in the House, there is not clear authority for the Chair to say that this word or that word is unparliamentary based on the precedents that were cited to me and that are in Beauchesne's.

Accordingly, I am not inclined at this stage to rule the expression unparliamentary and demand that there be a withdrawal. I as much as indicated that yesterday, but I did indicate that I would review the situation. I did indeed review it and came to the conclusion it would not be necessary to get back to the House as I indicated. Now I have come back and have given my reasons and I hope the right hon. member is satisfied.

•(1505)

**Right Hon. Joe Clark:** Mr. Speaker, I of course accept the rulings of the Chair. I wonder why the Speaker said "at this stage".

**The Speaker:** Because it was raised again. At yesterday's stage I had the same view, so my view on the matter is fairly consistent. Yesterday it was a guess because of what I heard and saw. Today it was considered opinion after reviewing the situation, so I say "at this stage" because it is the same as I thought yesterday. That is the way I feel about it, and that is the ruling I have to give, I am afraid.

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## GOVERNMENT ORDERS

[English]

### INTERNATIONAL TRANSFER OF OFFENDERS ACT

**Hon. Wayne Easter (Solicitor General of Canada, Lib.)** moved that Bill C-33, An Act to implement treaties and administrative arrangements on the international transfer of persons found guilty of criminal offences, be read the second time and referred to a committee.

He said: Mr. Speaker, I rise today to speak at second reading of Bill C-33, the international transfer of offenders act. I am proud to sponsor the bill for a number of reasons, in particular because of the public safety and humanitarian objectives that the bill will further.

The current Transfer of Offenders Act came into force in 1978 following a United Nations meeting where member states agreed that international transfers were desirable because of increasingly greater mobility and the need for countries to cooperate on criminal justice matters.

The Transfer of Offenders Act authorizes the implementation of treaties between Canada and other countries, including multilateral conventions for international transfer of offenders. The Transfer of Offenders Act and the treaties serve essentially a humanitarian purpose. This is important. Imagine for a moment that a citizen of Canada is incarcerated in a country whose language and culture is foreign to him or her. Add to this an unfamiliar environment, a lack of contact with family and friends, food that is incompatible with the person's dietary requirements, unsatisfactory health and sanitary conditions and/or difficult conditions of incarceration.

It goes without saying that these factors increase the pains of imprisonment for offenders, and the hardships they face often translate into hardships for their families at home.

But there are other reasons for the legislation. The Transfer of Offenders Act serves an important public protection purpose. Offenders incarcerated in foreign states may be deprived of the opportunity to rehabilitate themselves in the absence of treatment programs in those countries, in the absence of a structured parole system, and in the absence of direct contact with family and friends in their home community. As a result, the chances of long term reintegration of these offenders, and ultimately of better public safety, are greatly reduced. This holds true even when offenders are incarcerated in a country with social standards and customs relatively similar to Canada's.

The Transfer of Offenders Act ensures that the offender does not escape justice. There is no free ride. When Canadian offenders are transferred to Canada to serve the remainder of the foreign sentence until warrant expiry, they arrive here under the supervision of the Correctional Service of Canada or of provincial correctional authorities who oversee their gradual and controlled reintegration into society. I think we can all agree that this is far better than simply deporting offenders back to Canada at the end of their sentence without any controls or supervision.

There is no doubt that most states wish to cooperate with one another on matters of criminal justice. All states attempt to deter prohibited conduct through the enforcement of criminal laws and penalties. Modern technology and global travel have led to increased opportunities for the commission of crimes in countries other than one's own. Therefore, states have a common interest in cooperating to prevent and respond to criminal conduct. This actually protects the sovereignty of states by preventing offenders from escaping justice, and this is exactly what the transfer of offenders scheme allows states to do.

*Government Orders*

Every year, about 85 Canadians are transferred to Canada under a treaty or a multilateral convention for the transfer of offenders. Since 1978, only technical amendments have been made to the Transfer of Offenders Act. Since then, more substantive issues have been identified. Policy issues relating to international transfers have expanded due to Canada's greater experience with treaties and legislative amendments brought about by the Corrections and Conditional Release Act in 1992, Bill C-41 on sentencing in 1995, and Bill C-45 on sentence calculation reform in 1996.

• (1510)

As a result, my department consulted with 91 private sector and government agencies and then conducted a comprehensive review of the Transfer of Offenders Act. This resulted in proposals to amend the legislation that would reflect traditional international treaty principles, close identified gaps, ensure consistency with other legislative provisions, and improve efficiencies.

In recent years, statements of purpose and principles have been added to federal legislation for several reasons: to provide a clear indication of the intent of the legislation; to ensure parliamentary endorsement of the approach and policy behind legislation; and to aid in the interpretation of provisions.

Bill C-33 would do exactly that. It would specify that the purpose of the new international Transfer of Offenders Act is to contribute to the administration of justice and the rehabilitation of offenders and their reintegration into the community by enabling them to serve their sentences in the country of which they are citizens or nationals.

Over the years, Canada has promoted key principles to guide international transfers of offenders, and in particular, the notion of the offender's voluntary consent to the transfer. This notion is based on the traditional humanitarian objectives of treaties. The prospects for an offender's successful institutional adjustment, rehabilitation, and community reintegration would likely be compromised if an offender were forced to transfer against his or her will. Foreign states may also be less inclined to approve a transfer on humanitarian grounds if the offender has not willingly consented. This is why Bill C-33 would reflect this important principle.

The bill also contains the important principle that offenders are to be informed in advance of the terms and manner in which their sentences will be completed in Canada. It would also require that a foreign offender requesting a transfer to his or her home country be provided with information from that foreign state about how the sentence is to be served in that state. This would ensure that the offender's consent to the transfer is truly informed.

The current Transfer of Offenders Act makes provisions for the transfer to Canada of young offenders committed to custody, but not for young offenders on probation. This is inconsistent with the provisions which allow for the transfer of adult offenders both on probation and in custody. Bill C-33 would close this gap by providing for the transfer of young offenders on probation in the new act. Moreover, there is no provision in the current act that allows for the transfer of Canadian children. Bill C-33 would close that gap as well by providing for the transfer to Canada of children less than 12 years of age. The bill also specifies that children transferred to Canada would not be detained by reason of the foreign sentence. They would be dealt with in accordance with the law of the receiving

province or territory. By widening the net, so to speak, the bill would further the humanitarian objective of the act.

The current act provides that Canada may enter into a treaty, international agreement, arrangement or convention only with recognized foreign states. The dissolution of the U.S.S.R. and Yugoslavia highlights the problem of dealing with territories or jurisdictions not yet recognized as foreign states. Several years may pass before the jurisdictions are formally recognized as foreign states. In the meantime, Canada cannot enter into a treaty with them. Canadians incarcerated in these jurisdictions and offenders from these foreign entities do not have access to the international transfer process. There may also be instances where a treaty does not exist between Canada and a foreign state or where one has been negotiated but ratification is still years away.

• (1515)

However there are compelling reasons to return an offender to the home country such as harsh conditions of detention. Moreover, some foreign states may be less inclined to consider a formal arrangement with Canada but willing to negotiate less formal arrangements for the transfer of offenders on a case by case basis.

To provide access to international transfers in such circumstances, Bill C-33 would authorize the negotiation of administrative arrangements with a foreign state or a non-state entity. This would make the legislation more responsive to international developments. It would also allow Canada to bring its citizens home but always under the supervision of Canadian correctional authorities to oversee the offenders' gradual and safe reintegration.

The development of transfer agreements is beneficial to most offenders. To date, a limited number of states are bound by treaties and conventions on the transfer of offenders but the numbers are increasing and this is highly desirable. The main drive toward the international transfers of offenders is humanitarian. Serving a sentence in a foreign state increases its severity. An offender in this situation is likely deprived of contact with family and of the opportunity to reintegrate into society. This is not in the interests of the offender, the family or indeed the community.

Enforcement of a foreign sentence by the receiving state benefits the offender and both states involved. Objections to the effect that the enforcement of foreign sentences will infringe Canada's national integrity or that the foreign sentence will be improperly enforced in Canada are unfounded. These objections are fuelled by fear of the unknown rather than by informed policy reasons. The government and hon. members of the House should not allow such objections to stand in the way of the humanitarian effort that underlines Bill C-33.

*Government Orders*

Canada's Transfer of Offenders Act and associated treaties and conventions has been successful in achieving their goal and continue to be a permanent feature of the international relations between our country and many others. The progress made in this area is considerable. Since 1978, approximately 1,000 Canadians have been brought to Canada and more than 100 foreign offenders have been returned to their country of citizenship. The numbers are not large but that is because the notion of transfer of offenders is still relatively new and much is still being learned.

Let me say in closing that there is a clear need for legislative flexibility in Canada to further the humanitarian objective of transfers. There is a clear need for international cooperation in matters of criminal justice and there is a clear need for public protection with the safe and gradual reintegration of offenders into society.

Bill C-33 would respond to those needs by incorporating traditional international treaty principles, closing identified gaps and ensuring consistency with other legislative provisions. Bill C-33 would further contribute to these objectives by expanding the class of offenders who may be transferred and of jurisdictions with which Canada could enter into transfer arrangements.

For all these reasons, I urge the hon. members of the House to support Bill C-33 and see it through to completion.

• (1520)

**Mr. Kevin Sorenson (Crowfoot, Canadian Alliance):** Mr. Speaker, as you know, Bill C-33 was just introduced yesterday. Therefore everyone can appreciate that with only approximately 24 hours since the time we received a copy of the legislation until now there has been very little opportunity for the official opposition, as well as all political parties on this side of the House, to properly analyze this bill.

Yesterday as we were leaving question period, I was given a packet from the Department of the Solicitor General with a new bill in it. By 5 o'clock we found out that today we would debate a bill brought forward in the House this afternoon. This move on the part of the government, this move to force debate on a piece of legislation that was only introduced yesterday is indicative of the inconsideration on and disrespect that the government has for every other political party in the House and indeed for Parliament itself.

It is also, in my opinion, completely and totally irresponsible of a government to bring forward a bill in this manner. If the government were in fact serious about having a meaningful second reading debate on the international transfer of offenders act, it would have allowed at least 48 hours for us to effectively digest the contents of this legislation that is before us here today. I understand the rationale for this inconsiderate and irresponsible move. I understand that the government is void of any other meaningful legislation. In other words, the agenda of the government is empty.

Quite obviously the government is in neutral, as the member for LaSalle—Émard publicly proclaimed yesterday. It is something that we have all recognized and understood here in the House, that there was very little the government had on the agenda, very little vision and very few ideas that want to move the government on but it is something that has come from its own frontbench this time.

The front runner in the Liberal leadership race stated, and I quote yesterday's front page of the *Globe and Mail*:

—in recent times, a kind of complacency, a certain amount of drift, has set in. We've lost some of the energy and enthusiasm that Canadians are looking for.

This leadership hopeful, after months of silence on his government's agenda and his own plans for moving this country forward, was chronicling the government's lack of achievement and lack of recent achievement. Pointing to Ottawa's strained relations with the United States administration over the war in Iraq, the lack of focus on waiting lists in the health care system, the outbreak of SARS and a minister who was all over the map on the SARS file, the member for LaSalle—Émard said that these areas require immediate federal attention.

While this member accuses his own government of inaction and suggests immediate action, he knows full well that the Prime Minister is not prepared to step aside any time soon to allow the next leader of that government to attempt to move a government into some type of immediate action. We know that immediate action is not possible with the leadership we have in this country at the present time.

The member for LaSalle—Émard knows full well that we will remain in limbo for at least another 10 months. The Prime Minister has firmly and repeatedly confirmed that he is not prepared to retire until February of 2004. Until that time, regardless of who becomes the next Liberal leader, the government will remain in neutral. Neutral, in my opinion, is descriptive of the government's position on a whole host of issues. Most recently, SARS is the prime example.

Canada has an obligation to prevent the global spread of SARS by screening people at airports and developing a diagnostic test for the illness. Canada has not implemented comprehensive airport screening despite WHO recommendations to do so. It does not look like Canada will be doing anything much in the near future as the health minister has failed to recognize the scope of what could become and what perhaps is an international health disaster.

While the Liberal member for Hamilton East, another Liberal leadership hopeful, is classifying SARS as an epidemic and a national emergency, her colleague, the Minister of Health, is calling her statements and other cabinet ministers' statements irresponsible.

• (1525)

Another example of the government remaining in neutral was its position against the regime of Saddam Hussein, a position that led to our country developing a reputation of fence sitters and caused the irreparable damage to Canada-United States relations as the Liberal government first failed to unequivocally pledge or deny Canada's support of the allied liberation of Iraq to rid the country of Saddam Hussein and his deathly dictatorship. Ultimately the government denied our closest allies, our largest trading partners, our neighbours and our friends our full support. It appeared that as the United States started the reconstruction of Iraq, Canada was not prepared to assist with the rebuilding of Iraq without another resolution from the United Nations.



*Government Orders*

The Prime Minister just announced today plans regarding Canada's post-war Iraq contribution, including offers of military transport, police and experts in reforming the courts and prisons. A contingent of RCMP, justice and corrections officials will go to Iraq. Although this announcement was only made today, last week the RCMP was contacting police departments across Canada to prepare for a peacekeeping mission in Iraq. Apparently, according to one RCMP staff sergeant, this move was a proactive measure in the event of a formal request.

While I fully recognize and appreciate that the RCMP has an international training and peacekeeping division that is designed to help train and reform police in other countries and do not question its deployment to Iraq, I do question how we can afford to send provincial and municipal police personnel to assist it.

As I have stated on numerous occasions in the House, police resources across the country have been sorely depleted. This point was well emphasized just last month by the Canadian Police Association that called upon the government to provide increased priority funding for local, provincial, national, federal and trans-jurisdictional policing responsibilities.

Well over a year ago the Canadian Police Association appeared before the Standing Committee on Justice regarding the anti-terrorism legislation. During its presentation it said:

—we have serious reservations about the capability of Canada's police and law enforcement officials to meet the increased demands of anti-terrorism requirements and sustain important domestic policing and law enforcement responsibilities...

To date, the government has never meaningfully addressed the Canadian Police Association's concerns.

As the Canadian Police Association points out in its fact sheet, the 2002 federal budget allotted several millions of dollars in new spending for national security. However only \$576 million, spread over not one year but six years, was dedicated funding allotted to the RCMP. This amounts to approximately \$87 million per year. Translated into human resources it allows for the hiring of only 446 full time employees for the RCMP over the next six years. Need I remind the government of its slash and gouging in 1993 of the RCMP that resulted in the loss of 2,200 positions, a loss that has never been recouped despite years of protests and years of requests for increased funding.

Last year the commissioner of the RCMP openly admitted that 2,000 RCMP officers were withdrawn from other enforcement duties to respond to the terrorism crisis. These officers were taken from assignments previously considered to be priorities, such as fighting organized crime, dealing with the rampant drug problem in our country and providing frontline policing in Canadian communities. Many of these jobs were left unattended or in the commissioner's own words, these files were "put on the back burners" while the RCMP attempted to apprehend terrorist suspects potentially using Canada as a staging ground for attacks against our closest neighbour.

• (1530)

According to the Canadian Police Association, of the complement of approximately 15,000 RCMP officers, 9,000 are assigned to municipal and provincial contracting responsibilities. Of the remaining 6,000, 2,000, or one-third of that force, taken from other

law enforcement responsibilities, were reassigned to the terrorism file. Minimally, 2,000 additional officers are needed to service the deficiencies that are being felt the hardest, those deficiencies at the community level.

Members can therefore appreciate our apprehension in supporting provincial and municipal police personnel who are seconded to Iraq while our country is already so under-resourced; a situation that jeopardizes the safety and security of average Canadians.

As stated earlier, the government has nothing on its legislative agenda and therefore the House is devoid of anything really meaningful to debate.

While the House has little work to do, the Standing Committee on Justice and Human Rights has more work than it can handle. It looks like we will only get busier as we will be assigned Bill C-32 and Bill C-33.

Exactly a year ago I introduced a motion in committee that was fully supported and yet we have not allotted any time to review the status and the recommended amendments to the Corrections and Conditional Release Act.

More than two years ago the subcommittee on the Corrections and Conditional Release Act of the Standing Committee on Justice and Human Rights, in accordance with its mandate, held public hearings in Ottawa and in many other parts of the country. As well, the subcommittee visited correctional facilities of all levels of security across Canada and attended parole hearings.

In May 2000 the subcommittee tabled its report entitled "A Work in Progress: The Corrections and Conditional Release Act". In October 2000 the Solicitor General issued a response calling the subcommittee's report:

A welcome addition to the information, research and knowledge currently available regarding corrections and conditional release in Canada.

Furthermore, the former solicitor general said:

The Committee's review has emphasized that the corrections and conditional release system can be further improved in some areas...

The former solicitor general recognized that:

The Report echoes the submissions and testimony of offenders, victims of crime, members of the bar, offender assisting agencies, police, Crown attorneys, academics and countless others who are actively involved in the criminal justice system on a daily basis.

He indicated that the government intended to take action on 46 of the committee's 53 recommendations.

To date, none of the committee's recommendations have been implemented and the former solicitor general and the current Solicitor General have failed to meet the commitment of implementing the recommendations that came out of their very own committee.

I therefore requested that the Solicitor General, the Correctional Service Canada commissioner, the correctional investigator and the parole board appear before the justice committee to provide a status report on what, if any, recommendations have been implemented and to defend the inaction of those recommendations yet to be implemented.

*Government Orders*

The rationale for that motion is twofold. First, I strongly believe that the CCRA should be amended as recommended to address growing concerns regarding the safety of Canadians.

Second, and perhaps most important, I introduced the motion because I am concerned that the government and the Solicitor General are effectively dismissing the valuable work of this subcommittee as, I believe, is the Solicitor General's department.

• (1535)

In December of last year, when questioning officials from the department during supplementary estimates regarding when action would be taken to amend the CCRA, their response was that they would take action when we they were ready to take action. This really begs the question of who exactly is running who.

It was clearly apparent that the department was running the Solicitor General. The Solicitor General was not in control and was not running his own department. If he had been, the recommendations of the subcommittee, which were endorsed by the Solicitor General two and a half years ago, would have implemented immediately.

In the process of not running his department effectively, the former solicitor general demonstrated his disrespect for the members of the justice committee, who in good faith conducted a thorough review of the CCRA and, based upon expert testimony, made recommendations for improving the safety of this nation and the public safety of Canadians.

The former solicitor general also demonstrated that public safety was not and had not been a priority, nor had victims' rights even been a consideration from that department.

The Solicitor General's first and main priority is the rights of the offenders. That is a sad commentary on where we are in the justice system and the correction system today, and in the vision they have for this country and for corrections.

In my opinion Bill C-33 is nothing more than an affirmation that the scales of justice are unfairly balanced in favour of the offender.

Under clause 3 of Bill C-33, which the Solicitor General tabled yesterday and wants the House to debate today, it reads:

The purpose of this Act is to contribute to the administration of justice and the rehabilitation of offenders and their reintegration into the community by enabling offenders to serve their sentences in the country of which they are citizens or nationals.

In his press release, the Solicitor General stated that the Transfer of Offenders Act was more than 20 years old, and that it only authorized the transfer of offenders between Canada and recognized states. Furthermore, he states "this bill is significant from a humanitarian perspective. Conditions of confinement in some countries impose severe hardship on Canadians".

If in fact that is what Bill C-33 is all about, that is, ensuring that Canadians are not subjected to inhumane treatment, we on this side of the House could support the bill. If the fundamental principles were that we needed to be sure that humanitarian efforts were in place to ensure that our offenders in other countries are in proper living conditions, we could support it, but that is not the purpose of

the bill. This is not, as members will note from the purposes of the proposed legislation, what it endeavours to achieve.

The legislation is not only about allowing Canadian citizens in other countries to serve their sentences in more humane prisons, and, in some cases, to serve time in Canada's club fed, resort style prisons. It is not about being humane. It is about taking offenders from other countries and lessening the sentences they received in other countries. This is more about uncomfortable prisons than it is about inhumane prisons. This is more about resort style prisons than it is about the inhumane penitentiaries and prisons that we see in other countries. This is about reducing the sentences imposed by another country.

It is not only about where and the conditions under which they will be incarcerated. It is about the length of term of sentence.

• (1540)

Clause 14 reads:

Subject to subsection 17(1) and section 18, if, at the time the Minister receives a request for the transfer of a Canadian offender, the sentence imposed by the foreign entity is longer than the maximum sentence provided for in Canadian law for the equivalent offence, the Canadian offender is to serve only the shorter sentence.

This is because under clause 13 it reads:

The enforcement of a Canadian offender's sentence is to be continued in accordance with the laws of Canada as if the offender had been convicted and their sentence imposed by a court in Canada.

We have only had 24 hours to review the legislation, 24 hours to digest the meat and potatoes of what is in the bill, but what it is saying is that a Canadian citizen can go to another country, commit a crime, for which there could be a much more substantial penalty, and be transferred back home here to serve a much lesser sentence.

What this could amount to, in many cases, is immunity for Canadian citizens, which, in my opinion, is missing the mark and absolutely wrong. If Canadian citizens commit a crime in another country they should pay the price imposed by that country, not this country.

Under this government we are a country that is well-known for its bleeding heart justice system. The Liberal government is again more concerned about the rights and well-being of offenders than it is about the victims and the scars left on not only the primary victims but on the families of those who have been victimized.

In the Solicitor General's press release he says:

Society is best protected when offenders participate in correctional programs in Canadian institutions and communities, and when their release is supervised.

The essence of a great deal of what the Auditor General had to say in her report that was brought down a month ago was that she was very troubled by the lack of adequate programming and adequate offender treatment in many of the institutions. I think she highlighted many of the women's institutions in our country.

On the one hand, the Auditor General is concerned about the lack of rehabilitative programming and, on the other hand, the government says that it needs to get them back to prisons and penitentiaries in this country so that it can go on with programming and get the right type of programming for rehabilitation and reintegration.

*Government Orders*

Rehabilitation has more to do with preparing them to go back into society than it does with pushing them back into society. We have the Auditor General speaking out in a report and saying that we are pushing the individuals through our system far too quickly, that they are going out onto the street and not having the proper programs, not having the rehabilitative work that they should have had while they were in the institutions, and then we have the Solicitor General coming back and saying that we need to bring them back from other countries so that our programs can prepare them for society. We have a great contradiction.

No society is best protected when the offenders spend an inadequate period of time incarcerated to prevent others from being harmed and for their own rehabilitation to effectively occur.

The government is not interested in preventing Canadians from being harmed. It is not interested in putting in place severe penalties that will act as deterrents. It is not interested in restitution being made to the victims. The Liberal government is only concerned about treating offenders as poor, misguided persons who are not responsible for their crimes regardless of how heinous they may be.

● (1545)

The philosophy of the government is clear. The philosophy of the government is that mankind is inherently good and that the environment is what shapes people, the environment and only the environment that they are placed in is what warps them and turns them into whether they are contributors or end up being offenders. The government believes that if we turn the prison system into a very positive experience for them, they will be prepared to go back out into society and be upstanding citizens.

We on this side of the House recognize that the recidivism rate, the rate of reoffending is very clear. Many of the individuals who enter our prisons and penitentiaries leave having been educated but unfortunately for Canadian society they have only been educated on how to become better prisoners. I know there are some who leave and go on to succeed and go on to live good lives and contribute to society and we applaud them, but they are few and far between.

On the subject of victims I must point out that under clause 8 of Bill C-33 the consent of three parties is required before a transfer takes place: first, the consent of the offender; second, the consent of our country, of our government, of our nation; and third, the consent of the jurisdiction, the state, the country in which the offence took place.

When we go through the bill that we were given just last night, there is no mention of the victim. There is no consideration in the bill of the family or the individual who has been victimized. In other words, when a child is raped in this country and a foreign entity requests the transfer of the offender, the victim and the victim's family have absolutely no say in the transfer and therefore have no say in the parole assessment and decision.

The victim and the victim's family are never apprised when the offender is released back into the jurisdiction or the country that has transferred the offender to it. I see no provision in Bill C-33 to address this oversight.

In fact, subclause 10(4) clearly states in reference to young offenders who are being transferred:

(4) In determining whether to consent to the transfer of a Canadian offender who is a child within the meaning of the Youth Criminal Justice Act, the primary consideration of the Minister and the relevant provincial authority is to be the best interests of the child.

In other words, when a 17 year old boy goes to another country and he rapes an 11 or 12 year old for which the punishment in that country may be fairly substantial, he would be transferred here and given the maximum sentence of three years.

What about the young victim in the other country? What is in the best interests of the victim? What is in the best interests of society or the best interests of our children who may become the next victims of that offender?

There are few people on the government side who are questioning about a 12 year old being victimized in a rape. We know there are many countries where the sex trade of young people, children, is a tourist trade yet people question whether or not such a victim could ever exist. There are many who do exist, many whose lives have been scarred, many who may never see their lives repaired to the point where they can contribute to society.

● (1550)

Where is the consideration for public safety? Perhaps those questions will be answered in due time, as will other questions that we have regarding Bill C-33.

In closing, I would like to point out another aspect of the bill that is in question. That is clause 38 which deals with transitional provisions, which reads:

This act applies in respect of all requests for transfer that are pending on the day that this section comes into force.

I want to read into the record one more time, the transitional provision, the point in time when the bill comes into effect.

This act applies in respect of all requests for transfer that are pending on the day that this section comes into force.

In other words, we have before us again a bill that will be retroactive. We have a bill which says that if there is an offender in another country, if there is an offender who is incarcerated and who has applied for a transfer to Canada, that immediately when this bill becomes law, we will ensure that the individual who is in the system will receive consideration and will be brought back to this country if all the points in the legislation are met. It is retroactive.

Why is it that when an act favours offenders it can be retroactive but when it does not properly favour the offender, it cannot be retroactive? We have a sex offender registry. We have people who are in prison in Canada at this time many of whom have committed heinous sexual crimes against young children. After years of asking Parliament and the government to move on a national sex offender registry, the government came forward with a sex offender registry that basically will have no names on it. The registry will not be worth the paper it is written on. The registry will not be a tool or a resource for law enforcement. Why? Because the government will not make the legislation retroactive. It will not go back and put on the registry those offenders who have committed a crime already. We will have it from the day that the sex offender registry becomes law.

*Government Orders*

However, when we are talking about the offender in another country, the government says “No, we will make it retroactive, we will make every offender able to apply, they will be able to come back home”. We have seen it with other laws as well such as the DNA data bank. The government has made it very clear there will be no retroactivity when it comes to putting the DNA into the database so that our law enforcement agencies can adequately enforce and fight crime and uphold the law.

At first glance, we cannot support this bill as it is unjustly balanced in favour of the offenders over the victims.

I urge the government to consider as a guiding principle the protection of society, to consider as the guiding principle what is best in the long term for society. I urge the government to build within the law an act that would satisfy the victims, all those individuals whose lives have been scarred from crime. When that happens, I can assure the government that we will stand with it and we will support bills of that kind.

Bill C-33, like many others brought forward by the government, will do very little to satisfy the concerns of society in this country.

\* \* \*

• (1555)

**BUSINESS OF THE HOUSE**

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I wish to designate Thursday, May 1 as an allotted day.

\* \* \*

[*Translation*]

**INTERNATIONAL TRANSFER OF OFFENDERS ACT**

The House resumed consideration of the motion that Bill C-33, An Act to implement treaties and administrative arrangements on the international transfer of persons found guilty of criminal offences be now read the second time and referred to a committee.

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, I will start my speech the same way my Canadian Alliance colleague did. How can the government be so lacking in respect? On top of the meagre legislative menu, we have been forced to prepare for second reading of a bill that was introduced yesterday in the late afternoon. This, to my mind, shows an enormous lack of respect.

As well, although I know it is not customary to speak this way in the House, the Solicitor General ought to listen to what the Canadian Alliance and we have to say. I find it unfortunate, and feel obliged to say so, that he is not here to listen to what we have to say.

I understand the situation very well, but this makes two instances of lack of respect, one—

**The Acting Speaker (Mr. Bélair):** Order, please. I know the hon. member is new to this place. Reference must never be made to the absence of any member, ministers included. I would therefore ask him to take care.

**Mr. Robert Lanctôt:** I was well aware of that, Mr. Speaker, but it was disrespectful to us.

Now, I am pleased to speak today on Bill C-33, An Act to implement treaties and administrative arrangements on the international transfer of persons found guilty of criminal offences. I am pleased to speak as the Bloc Québécois critic on matters relating to the solicitor general.

We are in favour of this bill—in principle, and I emphasize “in principle”. The aim of the bill is to establish procedures for transferring offenders to Canadian correctional institutions for humanitarian purposes, and we agree with this.

Nevertheless, we have reservations when it comes to implementing the Youth Criminal Justice Act. Despite the recent opinions of the Quebec Court of Appeal in this matter, the federal government has decided to sentence young people of 14 and 15 as adults. I will take a closer look at this a little later in my speech.

Naturally, we are in favour of bringing criminal offenders back here, when one considers the prison conditions in some parts of this planet. These transfers, therefore, should take place in a spirit of close cooperation among the countries signatory to the treaties and administrative agreements. These transfers take place within a specific and comprehensive administrative framework. The guidelines for implementation are specified in the present bill.

A standard agreement would be set up, with a quick, simple administrative framework for transferring persons found guilty of criminal offences in a foreign country. The same would be true for foreign nationals in Canada.

The aim of the bill is to facilitate the transfer of foreign offenders to their country of origin, and Canadians imprisoned abroad back to Canada, in a quick and simple way.

Modern means of communication and transportation clearly make it easier to set up an efficient administrative framework in order to achieve the humanitarian objectives of this bill. As access to means of communication and transportation become easier, crime also becomes more international and that is why we must find transborder methods to meet these specific needs.

Increasingly, criminal policy refers to social reintegration as the key factor in offence resolution, and that is why it is increasingly necessary and essential to transfer offenders to achieve this goal.

There are also humanitarian considerations when transferring an offender. So, the parties will take into account communication difficulties resulting from linguistic barriers, alienation from culture and local customs and the lack of family contact. All these factors have a negative effect on offenders with regard to their sentence.

We can, therefore, conclude that repatriating offenders holds a certain interest for both offenders and the government, as well as for society.

*Government Orders*

Respect for the sovereign rights of states must take precedence. That is why the consent of the parties is required under the bill. Convicted offenders must also consent to being transferred. Bill C-33 is therefore solely a procedural instrument. Furthermore, much of the bill deals with the congruency of sentences handed down abroad and those handed down in Canada. The Council of Europe adopted its Convention on the Transfer of Convicted Persons, in 1983, in Strasbourg.

There are various parallels between the Council of Europe's convention and the bill before us. First, there is the need for states to collaborate and, second, the need to ensure the social reintegration of offenders. I should add that the convention fully respects the national laws of each member state.

In fact, article 13 of the convention states that the sentencing state alone shall have the right to decide on any application for review of the judgment.

• (1600)

Earlier I mentioned that the Bloc Québécois has some concerns about certain provisions of the bill. I am thinking of clause 18, which stipulates:

A Canadian offender is deemed to be serving an adult sentence within the meaning of the Youth Criminal Justice Act if

(a) the Canadian offender was, at the time the offence was committed, from 14 to 17 years old; and

(b) their sentence is longer than the maximum youth sentence that could have been imposed under that Act for an equivalent offence.

We do not support this provision. We believe that the chances are high that 14- and 15-year old adolescents are serving sentences that are far too heavy.

I mentioned that the Court of Appeal of Quebec gave its opinion in the case of the Government of Quebec's order regarding the reference concerning Bill C-7 on the youth criminal justice system. According to Quebec's Attorney General, the breaches of freedom and psychological welfare that result from criminal charges against a minor are exacerbated by the system that presumes subjecting youth to adult sentencing.

This procedure violates that presumption of innocence, guaranteed under paragraph 11(d) of the Charter and recognized by the Supreme Court as a fundamental principle that is protected by section 7.

Paragraph 11(d) of the Charter establishes the right:

to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal.

Quebec's Attorney General also argued that the procedures involved would be similar to those used in declaring someone a dangerous offender, in that they cause similar harm.

The Youth Criminal Justice Act therefore violates the freedom and safety of adolescents, which contravenes the principles of fundamental justice because it does not specifically require that the factors that the court must weigh when determining whether an adolescent should be subject to adult sentencing must be proven beyond all reasonable doubt. This is found in subsection 73(1) of the act.

The Attorney General of Canada argued that the new legislation, which is an exception to the adult criminal system, is in line with an

approach that balances the interests of society and those of adolescents in such a way as to make the taking into account of the specific situation of adolescents a major consideration. In response to the question raised by the Attorney General of Quebec, whether the elements set out are indeed principles of fundamental justice, the five judges of Quebec's Court of Appeal agreed that they were.

On page 63 of this opinion, we read that the expression fundamental justice in the context of section 7 is not limited to rules of procedure, but includes substantial principles. This means that to withstand Charter scrutiny any psychological security violation must be fundamentally warranted not only procedurally but also in relation to the objective, in accordance with the basic tenets of our legal system.

The Quebec Court of Appeal judges added that there is a wide consensus about these elements because of the essential role they play in the Canadian legal system. Their vital importance has been recognized ever since the very first legislation on the subject-matter. Over time, the details were worked out to meet the particular situation and needs of adolescents more and more specifically.

I also want to draw attention to what Justice L'Heureux-Dubé wrote in the 1989 Supreme Court decision in *R. v. M. (S.H.)*, 2 S.C.R., on page 446:

[This brief legislative history of] the provisions of the Young Offenders Act amply demonstrates that for nearly one hundred years Parliament has committed itself to the separate treatment and rehabilitation of young persons involved in the criminal process.

• (1605)

I read further:

The underlying philosophy has been from the beginning that it is in society's interest to assist young offenders "to strengthen their better instincts". An attempt is made through the legislation to "prevent these juveniles to become prospective criminals and to assist them to be law-abiding citizens".

Unfortunately, this government has chosen to ignore this legacy and expertise by doing away with the Young Offenders Act and replacing it with a piece of legislation that is pretty shaky in terms of its wording, as demonstrated by the Court of Appeal of Quebec, and questionable where its rehabilitation objectives are concerned.

The Bloc Québécois took a clear stand against this new legislation, which disregards nearly 100 years of history and practice, and opens the door to challenges.

The Bloc Québécois opposed the Youth Criminal Justice Act, and the Court of Appeal of Quebec recently proved us right. We will continue to be vocal opponents of this poorly worded legislation whose sole purpose was to clumsily reassure the public.

In the reference in question, the Court of Appeal of Quebec reviewed the provisions giving effect to the presumption of adult sentences for designated offences.

It is clear that the provisions of the new legislation on youth offenders broaden this assumption, in that it will now apply to adolescents aged 14 and 15. On page 67, the court said:

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Although the presumption may be set aside and the court may retain greater discretionary powers with respect to the appropriateness of imposing such a sentence rather than an adult sentence, it is no less true that the legislator has clearly indicated in sections 62 and 72 that the usual sentence applicable to designated offences is that imposed on adults guilty of the same offences. It also sends a clear message to the population as a whole that, in general, adolescents are dangerous criminals if they are 14 years of age or older when they commit certain offences. In other words, applying adult sentences has the effect of stigmatizing the adolescent guilty of a designated offence.

I still remember my remarks on Bill C-7 on young offenders, when I wondered about the real purpose of the bill. I remember that I said the bill was clear on one issue, that Canada did not want young people any more, only adults.

They were presenting us with a bill that completely eliminated one segment of our population in order to comfort society and give it a false sense of security, by saying that there is no more juvenile delinquency, because it would be transformed into adult delinquency, much tougher and much more punitive.

I also asked myself why society was the intended target of this bill, when the true client group for the bill ought to have been young offenders. Did the government really believe that it could deal with juvenile crime by giving the public a false sense of security, when the real issue was to lower the crime rate among young people?

Bill C-7 had its objectives backwards. The government had completely forgotten whom this bill was for. Should we rehabilitate young offenders or should we give an illusion of protection to society by lowering the age at which adult law applies?

Now, in reading this bill, and clause 18 in particular, I realize that my questions are still valid.

•(1610)

The Quebec Court of Appeal has provided us with several responses that, it must be said, clearly rankle the Liberal government. The Court of Appeal was categorical. The imposition of an adult sentence is not essential to achieving the goal of the Youth Criminal Justice Act.

On page 69 of the opinion, the Court of Appeal judges analyzed these provisions and concluded that, in this respect, clearly, the new legislation presumes that adult sentences be applied as a general rule. From now on, this legislation places upon minors the onus of demonstrating why an adult sentence should not be imposed.

The Quebec Court of Appeal added that Supreme Court case law is, however, clear. Section 7 of the Canadian Charter of Rights and Freedoms states that, during sentencing, the onus is on the Crown to establish beyond all reasonable doubt the aggravating circumstances surrounding the commission of an offence. Paragraph 724(3)(e) of the Criminal Code requires the prosecutor to establish, by proof beyond a reasonable doubt, the existence of any aggravating fact or any previous conviction by the offender.

Subsection 72(2) of the new Youth Criminal Justice Act, therefore, violates the rights guaranteed under section 7 of the Canadian charter in that it places on the young offender the onus of proving the circumstances surrounding the commission of the offence, the lack of a previous record at the time of the exemption, as well as the other factors listed in subsection 72(1).

The onus should instead be placed on the prosecutor who wants the court to impose an adult sentence to show the fitness of such claims in terms of the factors set out in subsection 72(1), once a request has been made. The prosecutor should also have to prove the existence of facts justifying the imposition of an adult sentence. Once this has been done, the courts could decide whether to impose such a sentence on a young offender.

The judges add that even the presumption of this imposition is a violation of the rights to freedom and the psychological freedom of adolescents, which does not conform to the principles of basic justice.

However, the problem posed by various provisions of Bill C-33, under debate, is that the 14-year-old or 15-year-old adolescent who has been sentenced abroad automatically falls under this imposition provision, no matter what the circumstances.

Not only does the adolescent fall under the adult sentencing system, he cannot even propose any evidence to the contrary that would limit application of this presumption.

Automatic application of this presumption is discriminatory in that it creates different categories of adolescents. Some will therefore feel the effects of the presumption, and will present evidence to the contrary, and others will not be able to do so, since they were convicted in another country.

There is one interesting point to which I would draw your attention. At the time of the Summit of the Americas in Quebec City, the Government of Quebec followed the minimal rules for detention according to the rules adopted by the first United Nations Congress on the prevention of crime and the treatment of offenders, held in Geneva in 1955, and approved by the Economic and Social Council in Resolutions 663 C (XXIV) of July 31, 1957 and 2076 (LXII) of May 13, 1977.

•(1615)

Among the preliminary observations we read:

The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of the general consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principle and practice in the treatment of prisoners and the management of institutions.

As well:

In view of the great variety of legal, social, economic and geographical conditions of the world, it is evident that not all of the rules are capable of application in all places and at all times.

They should, however, serve to stimulate a constant endeavour to overcome practical difficulties in the way of their application, in the knowledge that they represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations

I would also draw your attention to one specific rule which addresses the treatment for children, It is 5.2, which reads:

The category of young prisoners should include at least all young persons who come within the jurisdiction of juvenile courts. As a rule, such young persons should not be sentenced to imprisonment.

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This in an international principle we are in the process of reshaping to suit ourselves, in order to be able to work around it. It is inconceivable that someone could not be aware that this was what was being done. We must not lose sight of the fact that we are all answerable to the public.

I would like to know how the Liberal government could justify such a discriminatory and harmful application of these provisions regarding adolescents, without feeling any public backlash.

We cannot pull the wool over the eyes of the public like this just to please the government. The impact is far too great to be ignored. I would therefore ask the government to review certain provisions of Bill C-33 to allow for a fair and equitable application for everyone, including adolescents aged 14 or 15.

We have an established principle here whereby everyone is equal in the eyes of the law. Yet, this principle of equality before the law would not apply in the present case. How would sentencing be determined when some of the criteria are not admissible?

Members must carefully study all of the provisions contained in Bill C-33 in committee. The scope of some of these provisions is enormous and they must be paid careful attention, which is what we will do in committee.

As I mentioned at the outset, we support the humanitarian principle of this bill, and as I have just demonstrated, we need to make the necessary amendments to ensure it is applied fairly and equitably and that it respects the principles of fundamental justice set out in the charter.

A second aspect that concerns me is that of the availability of resources. Individuals must not be refused a transfer simply because the entity that will hold them does not have the money needed for transportation and to accommodate them in a correctional centre.

Like the firearms program, we believe that the federal government must make a clear funding commitment that is appropriate, so that Quebec and the provinces can act accordingly when it comes to carrying out transfers.

Not only does the presumption that we are denouncing not meet the requirements of fundamental justice, it has negative consequences when it comes to reintegration. Clearly all legislative provisions from now on must respect the requirements of the charter, both in their implementation and in setting goals.

We must not wait for the courts to correct this glaring shortcoming. The decision must be a legislative one, and it is up to us as parliamentarians to rectify the situation before it gets any worse. This is one aspect of the issue that we can discuss in more detail in committee.

The bill proposes substantial amendments to current legislation in that it clearly states in clause 3 that the first objective is to contribute to the administration of justice and the rehabilitation of offenders and their reintegration into the community by enabling offenders to serve their sentences in the country of which they are citizens or nationals.

• (1620)

Bill C-33 then lists the conditions of application and mechanisms of application for this worthwhile objective.

I have had occasion to handle requests from constituents in connection with this purely administrative operation. In each case, the motivation behind their requests was humanitarian, health-related, or harsh conditions of detention.

The fact that this bill is directed towards facilitating of this administrative procedure is totally desirable and the Bloc Québécois will be supporting the guiding principle. I must reiterate that we plan to study this bill thoroughly in order to make the essential adjustments to bring it in line with charter requirements, in compliance with the recent Quebec Appeal Court opinion.

Clauses 4 and 5 list the criteria for eligibility to make a request for transfer.

We feel the consent requirement set out in clause 8 is essential to the smooth operation of this procedure if it is to respect the principles of fundamental justice.

It is clearly stipulated that the transfer requires the consent of the foreign entity, Canada and the offender. Clause 9 sets out the rules governing the consent of Quebec and the provinces. It is specifically stated that consent must be given before any transfer for which Quebec and the provinces will be responsible.

I am returning to the necessity of having sufficient financial and human resources to make this transfer procedure efficient and timely. We will be addressing this in committee but we hope the minister responsible will commit to eliminating that uncertainty before long.

The assessment criteria are set out in clause 10 of Bill C-33. It is up to the minister to assess the factors related to the transfer. The primary one is whether the offender's return would constitute a threat to the security of Canada. The minister will also take into consideration the offender's intentions of residence, and finally whether family ties are sufficiently strong to warrant granting the request for transfer.

If a foreigner has been found guilty of an offence in Canada, the minister must also take into account the likelihood of the offender's subsequently committing acts of terrorism.

Subclauses 3 and 4 of this clause address factors relating to assessing requests from young offenders.

Clause 11 stipulates that consent or refusal of consent must be justified. The minister is responsible, under clause 12, for ensuring that the consent was given voluntarily.

Clauses 13 to 15 deal with the continued enforcement of offenders' sentences, with the purpose of complying with the criminal law of foreign countries.

Clause 16 sets out conditions for probation and the related equivalency.

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As for clauses 17 to 20, they deal more specifically with the terms and conditions for the transfer of young people. The Bloc Québécois is of the opinion that special attention ought to be paid to these, as I demonstrated earlier in my presentation. Expert advice can certainly enlighten us, especially in the context of the opinion of the Court of Appeal of Quebec.

The Bloc Québécois will be vigilant when these clauses are considered at committee stage. We hope the minister responsible will make the necessary changes to ensure these provisions reflect charter requirements.

Clauses 21 to 29 have a more technical and mathematical side, in the sense that they set out the criteria for determining equivalent sentences for Canadian nationals abroad who wish to serve their sentences in Canada.

I am quite amazed that only one clause in this bill addresses humanitarian considerations. I would have liked such considerations to be at the heart of this bill. Once again, I think that at committee we will be able to determine the full scope of this clause.

•(1625)

Clauses 31 to 36 deal with procedures for increasing the number of entities participating in these exchanges. The final clauses amend other acts affected by the bill's provisions.

There is one more aspect that ought to receive our full attention. A number of provisions in the present bill deal with implementation of the transfer procedures in cases where a person has been declared not criminally responsible because of mental disorder.

I took an active part in the work of the Standing Committee on Justice and Human Rights when it studied the Criminal Code provisions respecting such persons. The witnesses made it clear that these persons should receive particular attention in that their cases should be dealt with appropriately, and especially in a timely manner.

I believe that the provisions in the present bill ought to reflect the distinctive character of everything having to do with persons who have been declared not criminally responsible because of mental disorder.

I conclude by repeating our agreement in principle with this bill, especially with respect to the humanitarian motivation behind decisions to make a transfer.

However, I emphasize that the Bloc Québécois will be closely following the work of the House and the committee, in order to ensure that there will be changes made in the provisions relating to adolescents.

These provisions must satisfy the requirements clearly set out by the Quebec Court of Appeal in its opinion on the reference concerning Bill C-7 on the youth criminal justice system.

As I mentioned earlier, offenders must be returned to Canada when the conditions in prisons in some parts of the planet are examined. These transfers must, therefore, be done in a spirit of close collaboration with the states that are signatories of administrative treaties and agreements.

In closing, I would remind the members that, according to the Quebec Court of Appeal, imposing adult sentencing is not necessary to achieve the purpose of the Youth Criminal Justice Act; for this reason, each provision of Bill C-33 must be carefully reviewed, which the committee will duly undertake to do.

The Bloc Québécois will represent the interests of Quebeckers and Canadians, and especially the interests of our young people, during consideration in committee of Bill C-33.

We support the humanitarian principle behind this bill, but we have serious reservations about the specific applications of some of its provisions. We believe that the bill's humanitarian objective can be accomplished during consideration in committee, while protecting the rights of all individuals, in particular, obviously, of our young people.

•(1630)

[*English*]

**Mr. Ken Epp:** Mr. Speaker, I rise on a point of order to invoke Standing Order 29(3).

**The Acting Speaker (Mr. Bélair):** There is a quorum call and obviously we do not have a quorum. The bells shall not ring for more than 15 minutes.

•(1635)

*And the bells having rung:*

**The Acting Speaker (Mr. Bélair):** We now have quorum.

[*Translation*]

Beginning with the next speaker, speeches will last for 20 minutes and will be followed by a 10 minute period for questions and comments.

[*English*]

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, it is a pleasure to say a few words on Bill C-33, the international transfer of offenders act, before the House today at second reading stage. I support the bill in principle at second reading, but we will have questions at committee stage.

[*Translation*]

As I was saying, I agree with the principle of the bill, but questions about this will be raised in committee.

•(1640)

[*English*]

Bill C-33 would allow Canada to implement treaties and administrative arrangements with other countries around the world for the international transfer of offenders. The purpose of the bill is to allow Canadians who are convicted abroad to serve their sentences in this country. If there is a conviction for some offence abroad and it makes more sense to serve the sentence in this country, it certainly makes that possible.



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By allowing the offenders to serve their sentences in Canada the public's interest is also served because offenders are generally released into the community in accordance with the overall Canadian rehabilitation strategy, rather than simply having the offenders arrive in this country at the end of their sentences without any checks in terms of their reintegration.

If someone is in this country, incarcerated and then released, they are released in terms of the release strategy in Canada rather than just arriving at an airport or a bus depot from another country and walking onto the street. In principle it makes sense to support the bill before the House today.

The bill would permit Canadian offenders facing incarceration in foreign prisons in unfamiliar and difficult situations to serve their sentences in Canada. This function is crucial where the foreign states do not accommodate Canadian standards of rights and rehabilitation. There are many countries in the world that do not have the same kinds of rights that we have in this country, or the same kind of program of rehabilitation. That is one of the factors in the bill.

Foreign states with which Canada does have a transfer agreement may likewise take advantage of the bill to have their nationals that are incarcerated in Canada transferred back to their home country. It is very much a reciprocal agreement where offenders from a foreign country are arrested, convicted and incarcerated in Canada and transferred back to that foreign country. It is a reciprocal arrangement that makes sense.

The provisions of the bill would apply to criminal offenders, including young offenders and mentally incompetent offenders. Consent to be transferred must be given by the offender, by the foreign state, and Canada. There is a three way agreement here that the offender must consent to be transferred. Canada must consent to the transfer and the foreign state also must consent to the transfer before it happens.

The bill and the consent is governed by the Solicitor General of Canada. The Solicitor General was the person who kicked off the debate in the House here today.

Some of the positive things about the bill deal with the integrity and values of the Canadian justice and correctional system. It is our values and it is our integrity that is on the line in terms of the transferring of offenders back to Canada. Those values would prevail because the offender is coming back into our own country.

Foreign nations often have different standards in their prison systems that may be considered a violation of rights here in Canada, or that do nothing to rehabilitate the offender. The bill would give Canada custody of Canadian offenders abroad and make Canada responsible for the enforcement of our own values. Again, it is in accordance with Canadian standards, customs, laws, and values in terms of a prisoner being transferred from country X to Canada.

In terms of the bill before the House today, I would like to make a few proposals. First of all, I wish to comment on its applicability to young offenders. The provisions of the bill should include the transfer of young offenders who are on probation and the transfer of mentally challenged offenders.

Canada must ensure that young offenders receive a chance to salvage their futures and that those who are mentally unfit be cared for properly. This is best done with the Canadian rehabilitation program targeted at specific categories of offenders, which may not even be available in other countries.

I know the whole issue of young offenders and the Young Offenders Act is a controversial one. Canada has a program of rehabilitation and a program of integration back into our country. Hopefully, all young offenders could be rehabilitated back into society and pick up a skill, trade, or a profession and make a contribution to our country. That is often not the case in other countries. This is another positive possibility that would come out of the bill that is before the House today.

• (1645)

Another thing deals with disclosure of information. The international transfer of offenders act provisions would require the proper authorities to inform offenders of any international transfer treaty between Canada and a foreign state. Offenders would have the right to serve their sentences in their country's jurisdiction. The requirement is needed to ensure that Canadians receive full knowledge of their rights. Offenders who are in custody would have the right to know that there is an international treaty between our country and another country and that they have the right to make an application to serve the remaining of their sentence in Canada if they wish. Of course, the flip side of the coin is if they do not wish to come back that is their right to do so as well.

The other issue pertains to consent of transfer. This requirement would allow foreign offenders in Canada to withdraw their consent to transfer at any time before the physical transfer takes place, not just immediately, but it would allow offenders to change their mind part way through the process.

Foreign offenders who face hardships and prejudice or persecution as a result of returning home to serve their sentence ought to be allowed to refuse a transfer. If prisoners in a foreign country do not want to be transferred back to Canada, then foreign nationals who are convicted and incarcerated in this country would have the same right to refuse a transfer back to their country where their citizenship is held and their nationality is held.

Justice Canada does not accept the rights violations or unduly harsh prison sentences for its own citizens in foreign nations and we must grant foreign nationals the right to refuse transfer back home where such dangers do exist particularly where there is a radical difference in the sentence for the same crime. If the punishment is radically different in a certain country than Canada then of course prisoners should have the right to refuse or have the right not to go back to serve their sentence in their own country.

*Government Orders*

I recommend that the House support the bill. I believe there is a humanitarian spirit to the bill as tabled today that should be applauded. These proposals permit Canadian offenders abroad to be transported back to Canada where they can be detained and rehabilitated in accordance with the standards and principles of Canadian justice. I think that is a right that Canadian citizens should be able to exercise. The checks and balances are in place if the Government of Canada agrees through the Solicitor General and the country where they are now held also agrees under the details of this particular treaty.

Since the bill is based on treaty negotiations its benefits are mutual. The treaty negotiations and administrative arrangements contemplated by the bill would give equal protection and advantage to Canada and the foreign state alike. This reciprocity has the added benefit of enhancing certainty and good faith in international relations and negotiations. The reciprocity in the bill before us today would create a situation of equality between our country and other countries that are signatories to the particular treaty.

Bill C-33 has some grey areas that require some clarification or improvements, but ultimately this proposal should receive the support as it is an important instrument for the protection of human rights in Canada and Canadian standards of punishment in jurisdictions beyond our control.

I do have questions in some areas of the bill or what may be referred to as grey areas and they include two or three different issues that I want to put on the record today. The general purpose of the international transfer of offenders act is humanitarian, but its language considers much less than its purpose would suggest. For instance, the factors which the minister shall consider in accepting Canadian offenders focus on the relationships between the offender and Canada, such as whether the offender has a social or family tie to the country, but does not consider the threat the foreign state or its prison system may present to the Canadian offender.

• (1650)

I would be much more concerned for example, about the offender receiving a caning in Singapore than I would be about how many family members he or she may have in this country. The caning in Singapore is the kind of punishment we do not have in our country.

I remember a few years ago there was a member of the reform party who was endorsing the idea of caning but I think it was certainly a small—

**An hon. member:** Oh, oh.

**Hon. Lorne Nystrom:** I was not in the House at the time, it was just what I read in the press. I do not always believe everything I read in the press, but certainly there were reports to that effect.

The bill should include the potential threat to an offender's well-being as a result of serving his or her sentence in a foreign state as a proper consideration for the minister to make.

Looking at the bill, which I only received a little while ago, clause 10(2)(a) allows the minister to refuse transfer of a foreign offender where in the minister's opinion the offender will commit a terrorist act or join organized crime. In other words, the minister is required to predict the future criminal activity of a foreign offender. This is a

very difficult and maybe impossible standard to be held against or to act upon.

As is, the provision is quite broad in scope. It has the potential to be abused, especially where the foreign offender is the subject of political controversy or dissidence unless clearer criteria are established for the minister. According to the wording of Bill C-33, it would not be difficult to conceive of a situation where a foreign offender may be denied transfer because of some undefined notion of terrorism or organized crime where it would serve the interests of others than the public's.

These are areas that are very difficult to codify and put into law but the bill should be clear on this issue if possible. Either establish what criteria is to be met before the minister may deem the offender likely to commit terrorism or participate in organized crime, or insert a clause requiring the offender to be previously convicted or charged of terrorism offences or organized crime offences before the minister may proceed on such an assumption. I think those are two possible ways of doing this.

Bill C-33 should be supported for its humanitarian purpose, but we should not assume that the transfer of prisoners back to Canada necessarily results in more humane treatment. We should not allow the government to pat itself on the back too long because we still have problems in our own prison system. One only needs to think of the lack of correctional services facilities for women or for aboriginal people in our country to realize there is a great need for development of our own corrections system. Let us not lose sight of the forest for the trees; there is still more progress to be made. Bill C-33 is just a step in the right direction.

Those are a few of my thoughts on the bill. We support the bill in principle. We think it is going in the right direction. We think it is fair and balanced. It is not a wholesale transfer of prisoners from one jurisdiction to the other. It is not the prisoner making the decision by herself or himself whether or not there should be a transfer. The transfer only happens if Canada agrees to it through the office of the Solicitor General, if the foreign country agrees to it through its appropriate government spokesperson and if the prisoner himself or herself agrees.

I believe this is a step in the right direction. I look forward to seeing the bill in committee and talking about it in more detail.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Madam Speaker, the hon. member made reference to the fact that one of my colleagues a number of years ago did some investigation about a different method of punishment. To jump from that to say that he advocated it is a leap. I know some of the people in the media did it and now the member has done it.

Personally I would never try to misrepresent what the member is saying. Let him say what he says. I would present it in as fair a way as possible. Let the voters of the country make their choice on facts, but for him to imply that one of my colleagues having simply looked at it advocates it is a leap and is not accurate. I simply wanted to set the record straight.

*Government Orders*

For example, I have studied statistics on the effects of smoking. I do not in any way advocate smoking. I have never in my life had a person who smoked for more than five years tell me that it would be a good idea for me to start, yet I have studied it on a statistical basis. I have done some reading on it to see what the outcomes are.

One simply cannot make those leaps and impute to members in the House things that they are purported to support simply because they have looked at it. It is a false logic and I correct the member on it. He may want to respond, but I do not want to hear any more of this unjustified accusation which is inaccurate.

• (1655)

**The Acting Speaker (Ms. Bakopanos):** Before I proceed to allow the member to answer, I would like to remind hon. members that cell phones are not permitted in the House, the ringing of them or taking calls while we are in the House.

**Hon. Lorne Nystrom:** Madam Speaker, I would have to check the blues but I think I said that it is my understanding that a member of the reform party at one time advocated caning. Then the member objected from his seat and I said I was not a member of the House at the time and I was just going from a recollection of newspaper stories at the time. If that is not the case, then that is not the case, but I was not in the House. Certainly caning is not an appropriate kind of punishment in our country. I do not think we would find many Canadians who would advocate caning.

However one thing that is coming up in this debate is what is considered to be an appropriate punishment. That punishment is not appropriate by Canadian standards. We want to rehabilitate Canadian people by Canadian standards, Canadian values, Canadian punishment and the precedents we have in this country. That is one reason a prisoner may want to be transferred back to Canadian jurisdiction to serve out the remainder of his or her sentence.

**Mr. Loyola Hearn (St. John's West, PC):** Madam Speaker, it is my pleasure to say a few words on the bill but unfortunately for all of us in the House we only got the bill recently. It has been 24 hours between first reading and second reading. It is a bill that has a tremendous amount of potential to interfere with the lives of a lot of people, whether they be Canadians abroad or foreigners here. I think we need a little more time to discuss this and look at the implications in detail. I would suggest that we should slow down on how fast we move certain pieces of legislation through the House.

It should be the goal of Parliament and those who sit in the House to fully inform the public of these debates. It is incumbent upon the government of the day to recognize that in this instance it will not occur because of the fast timeframe.

For example, clause 24 outlines the eligibility for parole for an offender who has been convicted of committing a murder. This seemingly simple definition carries with it a whole host of implications. The clause states that if the offender was sentenced to imprisonment for life for an offence that, if it had been committed in Canada, would have constituted murder within the meaning of the Criminal Code, their full parole ineligibility period is 10 years.

This would be regardless of the penalty prescribed by the jurisdiction in which the offence was committed. This would mean that if murder carried a life sentence in the foreign state, and if the definition of life imprisonment was actually life, it would have no

bearing on the sentence the person ended up serving when returned to Canada.

The Canadian prisoner returned to this country would only be required to serve 10 years before becoming eligible for parole. There are those liberal minded people in society who feel this would be acceptable but whether it is or not is not the crux of the debate. The point I am trying to make is that different states carry different durations of punishment based essentially on societal acceptance of the rules.

The stated norm of an area of Afghanistan may not be the accepted norm in Canada. Cultural differences lead to acceptable and unacceptable behaviour and we need to be cognizant of that fact. We need only to look at the media for examples. One case which comes to mind is a woman who literally was stoned within an inch of her life for committing adultery.

Clause 24 goes on to note that if, in the minister's opinion, the documents supplied by the foreignity show that the circumstances in which the offence was committed were such that, if it had been committed in Canada after July 26, 1976, it would have been first degree murder within the meaning of section 231, the full parole ineligibility period is 15 years.

As the courts have decided in previous cases, it would seem the rights and freedoms afforded all Canadian citizens in the Canadian Charter of Rights and Freedoms are transferable when it comes to the right of life.

On February 15, 2001 the Supreme Court of Canada ruled in a nine to nothing decision that Glen Sebastian Burns and Atif Rafay could be extradited to the United States of America but only after Canada had been assured the men would not face execution.

In reality Canadians do not carry their charter of rights with them when they commit an offence in another country. When Canadians commit crimes in the United States of America, they are subject to the penalties of that state. State authorities will not be receptive to hearing the dictates of Canada regarding a murder that occurred on United States soil.

By setting up different types of reciprocal agreements with states, territories or entities, we could possibly be setting ourselves up to become a safe haven for criminals fleeing from justice. That was the problem then and it remains a problem now.

What do we do when the person commits murder in the foreign state where conviction results in death and he or she then decides to flee to Canada where if the person is caught, he or she will only have to serve a minimum of 10 years before seeking parole?

On the surface, setting legislation that would allow for a quick transfer of Canadian criminals abroad to serve their time in our institutions does not seem to be without its merit. However, the way in which the legislation was introduced and then thrown to the floor for debate without adequate preparation time makes me wonder what the government is trying to hide. Some would say it is paranoia, while others might argue perception.

*Government Orders*

●(1700)

Continuing in the vein of not having had adequate time to fully examine the legislation, I draw the attention of the House to clause 33, which defines what a foreign entity is. The clause reads:

In sections 31 and 32, "foreign entity" means a foreign state, a province, state or political subdivision of a foreign state, a colony, dependency, possession, protectorate, condominium, trust territory or any territory falling under the jurisdiction of a foreign state or a territory or other entity, including an international criminal tribunal.

What this section does is attempt to define any and all entities with which Canadian officials may or may not be interacting in terms of seeking the transfer. I am perplexed at the inclusion of some of the terminology used in this definition, namely, condominium; however, that is the least of my worries.

This section defines the definition of acceptable authorities with which the Minister of Foreign Affairs can deal in terms of seeking a transfer. However, it is clauses 31 and 32 that compel the minister to act. Clauses 31 and 32 essentially provide the minister with the ability to supersede the recognized authority of a sovereign state should he or she find a willing accomplice at a local or what we may term a municipal level should that country not have an official agreement with ours.

At cursory examination, it seems this legislation would give the minister an unprecedented, unbalanced amount of power.

I cannot stress enough the importance that the nature of the offence carries in terms of what is acceptable or unacceptable. In order to fully comprehend what needs to be done, we would need to accept the societal norms or, at the very least, a sense of shared values in terms of sentencing duration. Justice in one country does not equal the same measure of justice in another country. This I do not believe to be transferable. But while differences of opinions will ultimately vary, there are those who will be pleased that Canadians serving sentences abroad will now have the opportunity to serve their sentences within the confines of our own system and have all of the rights afforded Canadians.

With this bill the government is attempting to introduce legislation that would allow Canadians convicted in jurisdictions such as Hong Kong to return to Canada to serve their foreign sentences. In fact, the media release states, "Foreign nationals from such jurisdictions convicted in Canada would be able to serve their sentences in their home countries".

While we can support this legislation in principle, we need to be cognizant of the fact that, regardless of what the government passes, this type of legislation only works if we have reciprocal agreements.

Having said that, again, I really feel this legislation needs much closer scrutiny than we have been able to give it in the short timeframe provided to us. Perhaps as it moves through the system and through committee, we may be able to make sure that the legislation is of benefit to Canadians in particular but to others who would be treated fairly in countries where perhaps at the present time they would not receive fair treatment for any crimes committed.

●(1705)

**Ms. Raymonde Folco (Laval West, Lib.):** Madam Speaker, I am pleased to rise today to participate in the introduction of the government's initiative to update the Transfer of Offenders Act.

[Translation]

As legislators, we receive requests based on public opinion and suggestions made by non-governmental organizations. The Youth Criminal Justice Act, which came into force on April 1, 2003, is an example of how an aging law is replaced, in this case, the Young Offenders Act, which was enacted in 1985.

[English]

We went beyond revision in that case and, after broad and thorough consultation and the good work of the parliamentary Standing Committee on Justice and Human Rights, replaced the existing statute with a more up to date version of the legislation that reflects the current political and public will.

More recently, we have voted to send Bill C-23 to the parliamentary committee, from which it will emerge to better protect the young and most vulnerable Canadians from sexual predators by establishing a nationwide registry of those convicted of sexual offences.

Bill C-33 is before us now and it is also an important piece of necessary legislation that we can take pride in considering and helping to fashion into a final product that will become the law of the land. As the name implies, the force of this legislation will be felt far beyond Canadian borders. It provides the international community with another example of Canada's progressive criminal justice system, which combines the best aspects of correctional practice. Bill C-33 and the act it will replace do so by balancing the need for fair and humane treatment of offenders with the need to respect the systems and philosophies of other countries.

●(1710)

[Translation]

The proposed bill retains most of the objectives and principles of the Transfer of Offenders Act, which was enacted in 1978.

[English]

The new international Transfer of Offenders Act will continue to provide for the implementation of treaties with other countries for the international transfer of offenders. The purpose of the act and the treaties signed between Canada and foreign states is essentially humanitarian. They allow Canadians convicted and detained abroad in difficult conditions to serve their sentences at home and foreign nationals to return to their home countries.

In the case of returning Canadians, the treaties promote public protection, as offenders are allowed to serve their sentences in Canada and to be gradually released into the community. Otherwise they would simply be deported from the country where they were convicted of an offence, however serious, at the end of their sentences and would arrive in Canada with no controls on them.

*Government Orders*

[*Translation*]

At the same time, in all cases, the treaties respect the sentences imposed abroad. Countries that return offenders to Canada can be assured that the sentences handed down by their courts will be enforced by the Canadian system.

However, this is not an exercise in clemency as some of my hon. colleagues opposite seem to believe. Anyone who knows Canadian penitentiaries knows that they are not places where one would wish to spend a great deal of time, even as an observer or visitor.

Some foreign administrations provide prison conditions tougher than ours, but it would not be appropriate to list them here. Nevertheless, offenders who are returned to serve sentences in Canadian prisons are not coddled. Other countries are aware of that and accept the transfer conditions before returning the offender.

[*English*]

The Transfer of Offenders Act as it stands continues to serve useful purposes. We are here today to bring it into the present century. The world has changed and the style and content of international treaties must change to keep up. There are obvious changes brought about by the birth of new nations and the rebirth of others. There are also nations that have become independent of former allegiances, thereby growing more attuned to democracy and a concern for human rights. These countries have a need to express these transformations internationally.

[*Translation*]

There is no better way to bridge these cultural gaps than getting together to negotiate constructive treaties. We find out where the differences are, discuss them, and arrive at compromises. That is the essence of international cooperation. At the same time, we learn from each other and establish new bonds of international partnership.

In this respect, I would like to mention that the very first country with which Canada negotiated an offender transfer treaty was, of course, our friend and ally to the south, the United States of America. That 25-year-old treaty is only one example of the convergence of our American neighbours' programs and policies with ours.

[*English*]

Since the act's proclamation in 1978, only technical amendments have been made to it, although more substantive issues have been identified. These issues have been brought forward with a broad range of interested parties since the consultation document was released in 1997. The wide-ranging consultations identified what amendments would be advisable and necessary. This exercise has been followed by an exhaustive drafting exercise, during which expert officials have identified what changes are possible given Canadian and international law.

[*Translation*]

As the Solicitor General indicated, the central clauses of the amended act will set out the principles and objectives of the act. This may seem obvious in the context of drafting legislation, but a cursory perusal of existing legislation quickly reveals that it is not so.

There is an excellent example of statement of principles and objectives in the Corrections and Conditional Release Act enacted by Parliament in 1992. These clauses proved to be very useful to corrections professionals. Having force of law, they are not easily amended and, therefore, provide consistency in sentencing.

In these times of mission statements and organizational commitments, the importance of clear and consistent direction for those who must stick to the intent of established legislation to exercise the will of Parliament is easy to understand.

[*English*]

An equally modern aspect of these legislative proposals is that measure requiring a new level of information sharing between governmental authorities and offenders. Simply put, Canadian officials will be obligated to inform a foreign citizen under its jurisdiction of the existence and substance of an international transfer treaty between Canada and the country of citizenship, a function that our Department of Foreign Affairs carries out with regard to Canadians convicted abroad. While this duty is routinely discharged, the added force of law will formalize the practice to the satisfaction of those signing treaties with Canada.

[*Translation*]

Another new provision will allow a foreign offender detained in Canada to cancel his request for a transfer at any point in time. This significant change will address the rare cases where the situation in the offender's country of origin has taken a turn for the worse between the time when transfer was requested and the time when it is to take place.

• (1715)

[*English*]

The last specific point I will mention may prove to be very important. This entails the new provisions to extend certain aspects of the transfer of offenders scheme to nations that have not yet joined the family of countries that currently have treaties with Canada for the transfer of offenders. One can see that circumstances might arise where such an accommodation would be essential to the well-being of a Canadian incarcerated abroad.

[*Translation*]

There are other aspects of Bill C-33 to explore, but I will leave it up to my hon. colleagues and, in due course, to the standing parliamentary committee responsible for looking into these measures.

Naturally, I am prepared to take questions from my hon. colleagues on these proposals.

[*English*]

**Mr. Randy White (Langley—Abbotsford, Canadian Alliance):** Madam Speaker, I would like to address this bill in the House because it has some serious implications to some of the inequities that are created between Canada and the United States, and I want to go through those.

*Government Orders*

Bill C-33, an act to make an attempt to transfer inmates from prison in one country to another. I listened to a Liberal member across the way talk about the great things the government had done, particularly on the sex offender registry. I was the author of that registry three years ago and my party and I for two years in the House lobbied the other side to try to get a sex offender registry. There was absolutely zero appetite for it until the police, opposition, victims and every other group in the country basically forced it on the government. Now they are here today bragging how well they have done on the sex offender registry.

I want to tell the House that the people from British Columbia in Langley, Aldergrove and Abbotsford and in other areas are well aware of this. I really think it is degrading the way the government takes responsibility for these things when it is rammed down its throat.

However let us talk about the inequality of law between Canada and the United States. I want to relate it to the problems with transferring inmates.

The government is suggesting that we could take inmates from the United States and transfer them into Canada. If this happens, they would serve the lighter sentence in a Canadian prison. Basically we would have someone who is convicted of a sex offence in the United States. An agreement could be struck among the offender, Canada and the United States to transfer the sex offender across to our country because he was of Canadian nationality.

The first problem is the offender would get a lot more time in the United States than he would in Canada. He would get a lighter sentence automatically in Canada. Second, there are sex offender registries in every state in the United States on which this individual would be entered. Coming into Canada he would not be on a sex offender registry.

I do not understand the logic which comes across here other than this is entirely to the benefit of criminals and not victims. It is entirely to the benefit of criminals and not regular law-abiding citizens in Canada to bring a sex offender back into Canada, give him a lighter sentence, get him paroled and get him on the street with programs that are not compatible between Canada and the United States whilst incarcerated. Essentially a sex offender could come across into our country, not be on a registry, not be rehabilitated and get back out on the street. If that is what this country thinks we need, then I can only express my sincere disappointment once again on the problems associated with that.

Another case is the growing inequity between Canada and the United States and our drug laws. Canada is headed into a European model related to drugs. There is no question about that. The government already has started to endorse pilot projects for injection facilities for hard drugs, which is not acceptable to the vast majority of people in our country. Certainly there will be no support for that kind of process in my riding, in Walnut Grove, Abbotsford and Mount Lehman.

On one side of the international border we have a liberalized drug law based on a European model that is failing, not progressing.

• (1720)

Some Canadian who goes down to the United States and traffics cocaine or whatever could get 10 years. We make a deal to bring the trafficker back. In Canada that individual would likely get two years, maybe three at the most, but probably a fine, if we could find a judge who was not so Liberal that he would hand out a sentence.

What do we do? That individual who has trafficked cocaine to children in the United States, receives a 10 year sentence, moves back to Canada and gets out practically when he gets back into the country. I sincerely hope some thinking has gone about the legislation because these inequities certainly exist. In fact the legislation states that a Canadian offender is to serve only the shorter sentences.

There is a misguided idea that there is a compatible legal system within countries when there is not. This is because Liberals have been elected in the last three elections. We have a Liberal judicial system and Liberal courtrooms. We also have liberalized laws which are far different from most other countries. We are going to fail our people as a result of these transfers.

There is one other problem in this legislation, and it is under clause 38. It states, "This act applies in respect of all requests for transfer that are pending on the day that this section comes into force". In other words, it is retroactive

I just do not get it. I do not understand why one piece of legislation, Bill C-33, the transfer of offenders legislation, is retroactive but the government does not have the wherewithal to make the sex offender registry retroactive. The sex offender registry is vastly more important than this legislation.

The sex offender registry, as I wrote it and the government adopted it, states that we will register all markings like tattoos, telephone numbers, addresses, all personal information of sex offenders. The government has to take all that information and ensure that it is updated by virtue of mandating individuals to complete the registration. If they do not update it voluntarily, then after a year if there have been changes and they are not reported, there will be some serious fines or possible imprisonment.

The problem is the government has said that all sex offenders in provincial or federal jurisdictions will not be on the register when it becomes law. That amounts to approximately 5,000 federal inmates and 5,000 provincial inmates, all sex offenders, none of whom will be on the registry on opening day because the government has not seen fit to make the registry retroactive.

I do not understand why an important piece of legislation like the sex registry, which is vital and valuable to the Canadian population, would not be made retroactive but this legislation, which is really not that important quite frankly, will be retroactive.

The implications on the sex offender registry are this. Sex offenders who are currently in prison and who have an extremely high recidivism rate could actually perpetrate yet another sex crime, get convicted, do their time in prison again before they would be put on the registry. That is one free sexual assault per every single sex offender held in prison today. That does not make any sense whatsoever. I can guarantee that the people I represent in Abbotsford, Langley and throughout the Fraser Valley cannot understand that either.

• (1725)

I will take this information back to my constituency and let them know. Yes, they will be upset and there will not be a Liberal elected there for decades I am sure. However the biggest problem is that because of the majority in the House of Commons this is the way it is going to be. I do not really think there is a Liberal across the way who can really justify the sex offender registry not being retroactive. I just do not believe in their own hearts they would comply with that.

The job is to challenge the members across the way to get into the justice committee and make that change without fear of reprisal from their government. I ask the members across the way to have the courage of their convictions because like the bill we are debating, some of the things we do in committee after they are assessed and evaluated are just as important as the tabling of the bill itself.

Therefore what have we got? We have a bill in front of us that is not as important as most bills and we have a bill in front of us with several serious flaws, not the least of which is the state of our prison system in Canada. I do not believe there is anyone in the House who is any more familiar with that than I am.

The fact of the matter is our prison system is not the most effective system. It is a liberal system but we have recidivism rates that are unacceptable. We have something labelled and identified called rehabilitation that does not work. We have more charges against guards than we do against the criminals themselves. Inmates have too much idle time in prison, not working if they do not want to work, not working for any amount of time that they put in. They are basically warehoused. This is not a productive system in my opinion.

Therefore we go to the United States or any other country and say, "Bring in an inmate and we will transfer him into our system". Yes, he gets less time. Yes, he is idle. Yes, he is put out on the street and not rehabilitated. Yes, he has very likely been hooked on drugs. If he goes in clean in our prison, he comes out hooked on drugs.

I guess maybe the inmate who is in another country would like to come here because it is a soft touch. However I certainly do not think other countries would be all that willing to let inmates come into this country because they really would not serve the time properly.

The final point of this is that to make a transfer we need the consent apparently of the inmate, of the state that is receiving and the state that is sending but again the government did not include victims. Nowhere does the victim get any say whatsoever on this. Shame on the government. It is another piece of legislation that is not worth the paper on which it is written.

## Government Orders

• (1730)

### ASSISTED HUMAN REPRODUCTION ACT

The House resumed from April 10 consideration of the motion that Bill C-13, an act respecting assisted human reproduction, be read the third time and passed, and of the amendment.

**The Acting Speaker (Ms. Bakopanos):** It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment on the motion at third reading stage of Bill C-13.

Call in the members.

• (1805)

(The House divided on the amendment, which was negated on the following division:)

(Division No. 144)

### YEAS

#### Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Bailey	Barnes (Gander—Grand Falls)
Benoit	Burton
Casey	Casson
Cummins	Day
Doyle	Epp
Forseth	Gallant
Gouk	Grewal
Harper	Harris
Hearn	Herron
Hill (Macleod)	Hilstrom
Hinton	Jaffer
Johnston	Karygiannis
Keddy (South Shore)	Kenney (Calgary Southeast)
Lebel	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	Martin (Esquimalt—Juan de Fuca)
Meredith	Merrifield
Mills (Red Deer)	Moore
O'Brien (London—Fanshawe)	O'Reilly
Penson	Peric
Rajotte	Reid (Lanark—Carleton)
Reynolds	Schmidt
Skelton	Solberg
Sorenson	Spencer
Steckle	Strahl
Szabo	Thompson (New Brunswick Southwest)
Toews	Vellacott
Wappel	White (North Vancouver)
White (Langley—Abbotsford)	Williams— 60

### NAYS

#### Members

Adams	Alcock
Allard	Assad
Assadourian	Augustine
Bagnell	Bakopanos
Barnes (London West)	Beaumier
Bélair	Bélangier
Bellemare	Bennett
Bergeron	Bertrand
Bigras	Binet
Blaikie	Blondin-Andrew
Bonwick	Borotsik
Boudria	Bourgeois
Bradshaw	Brown
Bryden	Caccia
Calder	Cannis
Cardin	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Clark	Coderre

*Government Orders*

Collenette	Comuzzi
Copps	Cotler
Crête	Cullen
Cuzner	Dalphond-Guiral
Davies	Desjarlais
DeVillers	Dion
Dromisky	Drouin
Duceppe	Duplain
Easter	Efford
Eggleton	Eyking
Farrah	Finlay
Folco	Fontana
Fournier	Frulla
Fry	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godfrey
Godin	Goodale
Graham	Grose
Guay	Guimond
Harb	Harvard
Harvey	Hubbard
Ianno	Jackson
Jordan	Keyes
Knutson	Kraft Sloan
Laframboise	Laliberte
Lalonde	Lanctôt
Lastewka	LeBlanc
Lee	Leung
Lill	Mahoney
Malhi	Maloney
Manley	Marcil
Marleau	Martin (Winnipeg Centre)
Masse	McCallum
McDonough	McGuire
McLellan	Minna
Mitchell	Murphy
Myers	Nault
Neville	Normand
Nystrom	Owen
Pacetti	Pagtakhan
Paquette	Parrish
Patry	Perron
Peschisolido	Peterson
Phinney	Pickard (Chatham—Kent Essex)
Plamondon	Pratt
Price	Proctor
Proulx	Provenzano
Reed (Halton)	Regan
Robillard	Robinson
Rocheleau	Rock
Roy	Saada
Sauvageau	Savoy
Scherrer	Serré
Sgro	Shepherd
Simard	Speller
St-Hilaire	St-Jacques
St-Julien	St. Denis
Stewart	Stoffer
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Tirabassi
Tonks	Torsney
Valeri	Vancielief
Wasylcia-Leis	Whelan
Wilfert	Wood— 170

**PAIRED**

## Members

Asselin	Bachand (Saint-Jean)
Bevilacqua	Bulte
Desrochers	Kilgour (Edmonton Southeast)
Loubier	Macklin
Marceau	Martin (LaSalle—Émard)
McKay (Scarborough East)	Ménard
Pettigrew	Picard (Drummond)
Redman	Tremblay— 16

**The Speaker:** I declare the amendment lost.

**CANADIAN ENVIRONMENTAL ASSESSMENT ACT**

The House resumed from April 11 consideration of Bill C-9, An Act to amend the Canadian Environmental Assessment Act, as reported (with amendment) from the committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded divisions on the report stage of Bill C-9. The question is on Motion No. 1.

**Ms. Marlene Catterall:** Mr. Speaker, I believe you would find consent in the House that those recorded as voting on the previous motion be recorded as voting on the motion now before the House and on Motion No. 2 and on Motion No. 8, with the Liberals voting yes, with the addition of the members for Lambton—Kent—Middlesex, Pickering—Ajax—Uxbridge, Mississauga East, Lac-Saint-Louis and Humber—St. Barbe—Baie Verte, and with the deletion of the member for Ottawa South.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Mr. Dale Johnston:** Mr. Speaker, Canadian Alliance members will be voting no on those three motions.

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, the members of the Bloc Québécois will vote in favour of these three motions.

**Mr. Yvon Godin:** Mr. Speaker, the members of the New Democratic Party will vote against these three motions.

[English]

**Mr. Rick Borotsik:** Mr. Speaker, all members of the Progressive Conservative Party as registered as voting in the last vote will be voting yes to these three motions.

[Translation]

**Mr. Jean-Guy Carignan:** Mr. Speaker, I will vote in favour of these three motions.

**Mr. Ghislain Lebel:** Mr. Speaker, I will vote in favour of these three motions.

**Mr. Raymond Bonin:** Mr. Speaker, I will vote in favour of these three motions.

[English]

**Mr. Gary Pillitteri:** Mr. Speaker, I will be voting yes.

**Mrs. Judi Longfield:** Mr. Speaker, I will be supporting the government.

**Mr. John McKay:** Mr. Speaker, I will be supporting the government.

**Mr. Janko Peric:** Mr. Speaker, I will be supporting the government.

(The House divided on Motion No. 1, which was agreed to on the following division:)

(Division No. 145)

**YEAS**

## Members

Adams	Alcock
Allard	Assad



Assadourian  
Bagnell  
Barnes (London West)  
Beaumier  
Bélanger  
Bennett  
Bertrand  
Binet  
Bonin  
Borotsik  
Bourgeois  
Brown  
Byrne  
Calder  
Cardin  
Carroll  
Castonguay  
Cauchon  
Charbonneau  
Coderre  
Comuzzi  
Cotler  
Cullen  
Dalphond-Guiral  
Dion  
Dromisky  
Duceppe  
Easter  
Eggleton  
Farrah  
Folco  
Fournier  
Fry  
Gagnon (Champlain)  
Gaudet  
Girard-Bujold  
Goodale  
Grose  
Guay  
Harb  
Harvey  
Herron  
Ianno  
Jordan  
Keddy (South Shore)  
Knutson  
Laframboise  
Lalonde  
Lastewka  
LeBlanc  
Leung  
Longfield  
Malhi  
Marcil  
McCallum  
McKay (Scarborough East)  
McTeague  
Mitchell  
Myers  
Neville  
O'Brien (London—Fanshawe)  
Owen  
Pagtakhan  
Parrish  
Peric  
Peschisolido  
Phinney  
Pillitteri  
Pratt  
Proulx  
Reed (Halton)  
Robillard  
Rock  
Saada  
Savoy  
Serré  
Shepherd  
Speller  
St-Jacques  
St. Denis  
Stewart  
Telegdi  
Thibeault (Saint-Lambert)  
Tirabassi

Augustine  
Bakopanos  
Barnes (Gander—Grand Falls)  
Bélair  
Bellemare  
Bergeron  
Bigras  
Blondin-Andrew  
Bonwick  
Boudria  
Bradshaw  
Bryden  
Caccia  
Cannis  
Carignan  
Casey  
Catterall  
Chamberlain  
Clark  
Collenette  
Copps  
Crête  
Cuzner  
DeVillers  
Doyle  
Drouin  
Duplain  
Efford  
Eyking  
Finlay  
Fontana  
Frulla  
Gagnon (Québec)  
Gagnon (Lac-Saint-Jean—Saguenay)  
Gauthier  
Godfrey  
Graham  
Guarnieri  
Guimond  
Harvard  
Hearn  
Hubbard  
Jackson  
Karygiannis  
Keyes  
Kraft Sloan  
Laliberte  
Lanctôt  
Lebel  
Lee  
Lincoln  
Mahoney  
Maloney  
Marleau  
McGuire  
McLellan  
Minna  
Murphy  
Nault  
Normand  
O'Reilly  
Pacetti  
Paquette  
Patri  
Perron  
Peterson  
Pickard (Chatham—Kent Essex)  
Plamondon  
Price  
Provenzano  
Regan  
Rocheleau  
Roy  
Sauvageau  
Scherrer  
Sgro  
Simard  
St-Hilaire  
St-Julien  
Steckle  
Szabo  
Thibault (West Nova)  
Thompson (New Brunswick Southwest)  
Tonks

Torsney  
Valeri  
Wappel  
Wilfert  
  
Abbott  
Anders  
Bailey  
Blaikie  
Casson  
Davies  
Desjarlais  
Forseth  
Godin  
Grewal  
Harris  
Hilstrom  
Jaffer  
Kenney (Calgary Southeast)  
Lunn (Saainich—Gulf Islands)  
Martin (Esquimalt—Juan de Fuca)  
Masse  
Meredith  
Mills (Red Deer)  
Nystrom  
Proctor  
Reid (Lanark—Carleton)  
Robinson  
Skelton  
Sorenson  
Stoffer  
Toews  
Wasylycia-Leis  
White (North Vancouver)

Asselin  
Bevilacqua  
Desrochers  
Loubier  
Marceau  
McKay (Scarborough East)  
Pettigrew  
Redman

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Vanclief  
Whelan  
Wood— 180

### NAYS

#### Members

Ablonczy  
Anderson (Cypress Hills—Grasslands)  
Benoit  
Burton  
Cummins  
Day  
Epp  
Gallant  
Gouk  
Harper  
Hill (MacLeod)  
Hinton  
Johnston  
Lill  
Lunney (Nanaimo—Alberni)  
Martin (Winnipeg Centre)  
McDonough  
Merrifield  
Moore  
Penson  
Rajotte  
Reynolds  
Schmidt  
Solberg  
Spencer  
Strahl  
Vellacott  
White (Langley—Abbotsford)  
Williams— 58

### PAIRED

#### Members

Bachand (Saint-Jean)  
Bulte  
Kilgour (Edmonton Southeast)  
Macklin  
Martin (LaSalle—Émard)  
Ménard  
Picard (Drummond)  
Tremblay— 16

(The House divided on Motion No. 2, which was agreed to on the following division:)

### (Division No. 146)

### YEAS

#### Members

Adams  
Allard  
Assadourian  
Bagnell  
Barnes (Gander—Grand Falls)  
Beaumier  
Bélanger  
Bennett  
Bertrand  
Binet  
Bonin  
Borotsik  
Bourgeois  
Brown  
Byrne  
Calder  
Cardin  
Carroll  
Castonguay  
Cauchon  
Charbonneau  
Coderre  
Comuzzi

Alcock  
Assad  
Augustine  
Bakopanos  
Barnes (London West)  
Bélair  
Bellemare  
Bergeron  
Bigras  
Blondin-Andrew  
Bonwick  
Boudria  
Bradshaw  
Bryden  
Caccia  
Cannis  
Carignan  
Casey  
Catterall  
Chamberlain  
Clark  
Collenette  
Copps

*Government Orders*

Cotler	Crête
Cullen	Cuzner
Dalphond-Guiral	DeVillers
Dion	Doyle
Dromisky	Drouin
Duceppe	Duplain
Easter	Efford
Eggleton	Eyking
Farrah	Finlay
Folco	Fontana
Fournier	Frulla
Fry	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godfrey
Goodale	Graham
Grose	Guarnieri
Guay	Guimond
Harb	Harvard
Harvey	Hearn
Herron	Hubbard
Ianno	Jackson
Jordan	Karygiannis
Keddy (South Shore)	Keyes
Knutson	Kraft Sloan
Laframboise	Laliberte
Lalonde	Lanctôt
Lastewka	Lebel
LeBlanc	Lee
Leung	Lincoln
Longfield	Mahoney
Malhi	Maloney
Marcil	Marleau
McCallum	McGuire
McKay (Scarborough East)	McLellan
McTeague	Minna
Mitchell	Murphy
Myers	Nault
Neville	Normand
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paquette
Parrish	Patry
Peric	Perron
Peschisolido	Peterson
Phinney	Pickard (Chatham—Kent Essex)
Pillitteri	Plamondon
Pratt	Price
Proulx	Provenzano
Reed (Halton)	Regan
Robillard	Rocheleau
Rock	Roy
Saada	Sauvageau
Savoy	Scherrer
Serré	Sgro
Shepherd	Simard
Speller	St-Hilaire
St-Jacques	St-Julien
St. Denis	Steckle
Stewart	Szabo
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Thompson (New Brunswick Southwest)
Tirabassi	Tonks
Torsney	Ur
Valeri	Vanclief
Wappel	Whelan
Wilfert	Wood— 180

**NAYS**

## Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Bailey	Benoit
Blaikie	Burton
Casson	Cummins
Davies	Day
Desjarlais	Epp
Forsyth	Gallant
Godin	Gouk
Grewal	Harper
Harris	Hill (MacLeod)
Hilstrom	Hinton

Jaffer	Johnston
Kenney (Calgary Southeast)	Lill
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Masse	McDonough
Meredith	Merrifield
Mills (Red Deer)	Moore
Nystrom	Penson
Proctor	Rajotte
Reid (Lanark—Carleton)	Reynolds
Robinson	Schmidt
Skelton	Solberg
Sorenson	Spencer
Stoffer	Strahl
Toews	Vellacott
Wasylycia-Leis	White (Langley—Abbotsford)
White (North Vancouver)	Williams— 58

**PAIRED**

## Members

Asselin	Bachand (Saint-Jean)
Bevilacqua	Bulte
Desrochers	Kilgour (Edmonton Southeast)
Loubier	Macklin
Marceau	Martin (LaSalle—Émard)
McKay (Scarborough East)	Ménard
Pettigrew	Picard (Drummond)
Redman	Tremblay— 16

● (1810)

(The House divided on Motion No. 8, which was agreed to on the following division:)

*(Division No. 147)***YEAS**

## Members

Adams	Alcock
Allard	Assad
Assadourian	Augustine
Bagnell	Bakopanos
Barnes (Gander—Grand Falls)	Barnes (London West)
Beaumier	Bélair
Bélangier	Bellemare
Bennett	Bergeron
Bertrand	Bigras
Binet	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bourgeois	Bradshaw
Brown	Bryden
Byrne	Caccia
Calder	Cannis
Cardin	Carignan
Carroll	Casey
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Clark
Coderre	Collenette
Comuzzi	Copps
Cotler	Crête
Cullen	Cuzner
Dalphond-Guiral	DeVillers
Dion	Doyle
Dromisky	Drouin
Duceppe	Duplain
Easter	Efford
Eggleton	Eyking
Farrah	Finlay
Folco	Fontana
Fournier	Frulla
Fry	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godfrey
Goodale	Graham
Grose	Guarnieri
Guay	Guimond
Harb	Harvard

## Government Orders

Harvey  
Herron  
Ianno  
Jordan  
Keddy (South Shore)  
Knutson  
Laframboise  
Lalonde  
Lastewka  
LeBlanc  
Leung  
Longfield  
Malhi  
Marci  
McCallum  
McKay (Scarborough East)  
McTeague  
Mitchell  
Myers  
Neville  
O'Brien (London—Fanshawe)  
Owen  
Pagtakhan  
Parrish  
Peric  
Peschisolido  
Phinney  
Pillitteri  
Pratt  
Proulx  
Reed (Halton)  
Robillard  
Rock  
Saada  
Savoy  
Serré  
Shepherd  
Speller  
St-Jacques  
St. Denis  
Stewart  
Telegdi  
Thibeault (Saint-Lambert)  
Tirabassi  
Torsney  
Valeri  
Wappel  
Wilfert

Hearn  
Hubbard  
Jackson  
Karygiannis  
Keyes  
Kraft Sloan  
Laliberte  
Lanctôt  
Lebel  
Lee  
Lincoln  
Mahoney  
Maloney  
Marleau  
McGuire  
McLellan  
Minna  
Murphy  
Nault  
Normand  
O'Reilly  
Pacetti  
Paquette  
Patry  
Perron  
Peterson  
Pickard (Chatham—Kent Essex)  
Plamondon  
Price  
Provenzano  
Regan  
Rocheleau  
Roy  
Sauvageau  
Scherrer  
Sgro  
Simard  
St-Hilaire  
St-Julien  
Steckle  
Szabo  
Thibault (West Nova)  
Thompson (New Brunswick Southwest)  
Tonks  
Ur  
Vanclief  
Whelan  
Wood— 180

## NAYS

## Members

Abbott  
Anders  
Bailey  
Blaikie  
Casson  
Davies  
Desjarlais  
Forseth  
Godin  
Grewal  
Harris  
Hilstrom  
Jaffer  
Kenney (Calgary Southeast)  
Lunn (Saanic—Gulf Islands)  
Martin (Esquimalt—Juan de Fuca)  
Masse  
Meredith  
Mills (Red Deer)  
Nystrom  
Proctor  
Reid (Lanark—Carleton)  
Robinson  
Skelton  
Sorenson  
Stoffer  
Toews  
Wasylycia-Leis  
White (North Vancouver)

Ablonczy  
Anderson (Cypress Hills—Grasslands)  
Benoit  
Burton  
Cummins  
Day  
Epp  
Gallant  
Gouk  
Harper  
Hill (MacLeod)  
Hinton  
Johnston  
Lill  
Lunney (Nanaimo—Alberni)  
Martin (Winnipeg Centre)  
McDonough  
Merrifield  
Moore  
Penson  
Rajotte  
Reynolds  
Schmidt  
Solberg  
Spencer  
Strahl  
Vellacott  
White (Langley—Abbotsford)  
Williams— 58

## PAIRED

## Members

Asselin	Bachand (Saint-Jean)
Bevilacqua	Bulte
Desrochers	Kilgour (Edmonton Southeast)
Loubier	Macklin
Marceau	Martin (LaSalle—Émard)
McKay (Scarborough East)	Ménard
Pettigrew	Picard (Drummond)
Redman	Tremblay— 16

**The Speaker:** I declare Motions Nos. 1, 2 and 8 carried.

The next question is on Motion No. 10. A vote on this motion also applies to Motions Nos. 12, 15, 17 and 20 to 22.

**Ms. Marlene Catterall:** Mr. Speaker, I believe you would find consent in the House that those who voted on the previous motions be recorded as voting on the motion now before the House, with the exception of the member for Davenport and the member for North York who wish to not be recorded as voting on this motion, Liberals will be voting yes.

**The Speaker:** Is there unanimous consent to proceed in this way?

**Some hon. members:** Agreed.

**Mr. Dale Johnston:** Mr. Speaker, Canadian Alliance members will vote yes to the motion.

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, the members of the Bloc Québécois will vote against this motion.

[English]

**Mr. Yvon Godin:** Mr. Speaker, members of the NDP will be voting no to the motion.

**Mr. Rick Borotsik:** Mr. Speaker, Progressive Conservative Party members will be voting yes to the motion.

[Translation]

**Mr. Jean-Guy Carignan:** Mr. Speaker, I will vote in favour of this motion.

**Mr. Ghislain Lebel:** Mr. Speaker, I will vote against this motion.

[English]

**Mrs. Karen Kraft Sloan:** Mr. Speaker, I just wanted to ensure that there was a clarification on the riding in the abstention on this motion. It is not North York, it is York North.

**Mr. Clifford Lincoln:** Mr. Speaker, I would like to be recorded as voting against Motions Nos. 12 and 21 within that group.

**The Speaker:** I cannot accommodate the hon. member in that regard since the Chair has ruled that a vote on one applies to them all, but the hon. member's indication has been made and it will be recorded that way in *Hansard*.

(The House divided on Motion No. 10, which was agreed to on the following division:)

(Division No. 148)

## YEAS

## Members

Abbott	Ablonczy
Adams	Alcock
Allard	Anders

*Government Orders*

Anderson (Cypress Hills—Grasslands)  
Assadourian  
Bagnell  
Bakopanos  
Barnes (Gander—Grand Falls)  
Bélair  
Bellemare  
Benoit  
Binet  
Bonin  
Borotsik  
Bradshaw  
Bryden  
Byrne  
Cannis  
Carroll  
Casson  
Catterall  
Chamberlain  
Clark  
Collenette  
Copps  
Cullen  
Cuzner  
DeVillers  
Doyle  
Drouin  
Easter  
Eggleton  
Eyking  
Finlay  
Fontana  
Frulla  
Gallant  
Goodale  
Graham  
Grose  
Harb  
Harris  
Harvey  
Herron  
Hilstrom  
Hubbard  
Jackson  
Johnston  
Karygiannis  
Kenney (Calgary Southeast)  
Knutson  
Lastewka  
Lee  
Lincoln  
Lunn (Saanich—Gulf Islands)  
Mahoney  
Maloney  
Marleau  
McCallum  
McKay (Scarborough East)  
McTeague  
Merrifield  
Minna  
Moore  
Myers  
Neville  
O'Brien (London—Fanshawe)  
Owen  
Pagtakhan  
Patry  
Peric  
Peterson  
Pickard (Chatham—Kent Essex)  
Pratt  
Proulx  
Rajotte  
Regan  
Reynolds  
Rock  
Savoy  
Schmidt  
Sgro  
Simard  
Solberg  
Speller  
St-Jacques  
St. Denis

Assad  
Augustine  
Bailey  
Barnes (London West)  
Beaumier  
Bélanger  
Bennett  
Bertrand  
Blondin-Andrew  
Bonwick  
Boudria  
Brown  
Burton  
Calder  
Carignan  
Casey  
Castonguay  
Cauchon  
Charbonneau  
Coderre  
Comuzzi  
Cotler  
Cummins  
Day  
Dion  
Dromisky  
Duplain  
Efford  
Epp  
Farrah  
Folco  
Forseth  
Fry  
Godfrey  
Gouk  
Grewal  
Guarnieri  
Harper  
Harvard  
Hearn  
Hill (Macleod)  
Hinton  
Ianno  
Jaffer  
Jordan  
Keddy (South Shore)  
Keyes  
Laliberte  
LeBlanc  
Leung  
Longfield  
Lunney (Nanaimo—Alberni)  
Malhi  
Marcil  
Martin (Esquimalt—Juan de Fuca)  
McGuire  
McLellan  
Meredith  
Mills (Red Deer)  
Mitchell  
Murphy  
Nault  
Normand  
O'Reilly  
Pacetti  
Parrish  
Penson  
Peschisolido  
Phinney  
Pillitteri  
Price  
Provenzano  
Reed (Halton)  
Reid (Lanark—Carleton)  
Robillard  
Saada  
Scherrer  
Serré  
Shepherd  
Skelton  
Sorenson  
Spencer  
St-Julien  
Steckle

Stewart  
Szabo  
Thibault (West Nova)  
Thompson (New Brunswick Southwest)  
Toews  
Torsney  
Valeri  
Vellacott  
Whelan  
White (North Vancouver)  
Williams

Strahl  
Telegdi  
Thibault (Saint-Lambert)  
Tirabassi  
Tonks  
Ur  
Vanclief  
Wappel  
White (Langley—Abbotsford)  
Wilfert  
Wood— 196

**NAYS**

## Members

Bergeron  
Blaikie  
Cardin  
Dalphond-Guiral  
Desjarlais  
Fournier  
Gagnon (Champlain)  
Gaudet  
Girard-Bujold  
Guay  
Laframboise  
Lancôt  
Lill  
Masse  
Nystrom  
Perron  
Proctor  
Rocheleau  
Sauvageau  
Stoffier

Bigras  
Bourgeois  
Crête  
Davies  
Duceppe  
Gagnon (Québec)  
Gagnon (Lac-Saint-Jean—Saguenay)  
Gauthier  
Godin  
Guimond  
Lalonde  
Lebel  
Martin (Winnipeg Centre)  
McDonough  
Paquette  
Plamondon  
Robinson  
Roy  
St-Hilaire  
Wasylycia-Leis— 40

**PAIRED**

## Members

Asselin  
Bevilacqua  
Desrochers  
Loubier  
Marceau  
McKay (Scarborough East)  
Pettigrew  
Redman

Bachand (Saint-Jean)  
Bulte  
Kilgour (Edmonton Southeast)  
Macklin  
Martin (LaSalle—Émard)  
Ménard  
Picard (Drummond)  
Tremblay— 16

**The Speaker:** I declare Motion No. 10 carried, accordingly Motions Nos. 12, 15, 17 and 20 to 22 are carried.

The next question is on Motion No. 25.

**Ms. Marlene Catterall:** Mr. Speaker, I believe you would find consent in the House again that those who voted on Motion No. 10 be recorded as voting on Motions Nos. 25, 27 and the report stage concurrence motion, with Liberal members voting yes, with the addition of the members for Davenport, York North and Lac-Saint-Louis.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Mr. Dale Johnston:** Mr. Speaker, Canadian Alliance members will support these motions.

[*Translation*]

**Mr. Michel Guimond:** Mr. Speaker, the members of the Bloc Québécois will vote against these three motions.

**Mr. Yvon Godin:** Mr. Speaker, the members of the New Democratic Party will vote against these three motions.

[English]

**Mr. Rick Borotsik:** Mr. Speaker, members of the Progressive Conservative Party will vote yes to these motions.

[Translation]

**Mr. Jean-Guy Carignan:** Mr. Speaker, I will vote in favour of these motions.

**Mr. Ghislain Lebel:** Mr. Speaker, I will vote no.

[English]

**Mr. Clifford Lincoln:** Mr. Speaker, I would like to be recorded as voting no to Motion No. 25.

(The House divided on Motion No. 25, which was agreed to on the following division:)

*(Division No. 149)*

**YEAS**

Members

Abbott	Ablonczy
Adams	Alcock
Allard	Anders
Anderson (Cypress Hills—Grasslands)	Assad
Assadourian	Augustine
Bagnell	Bailey
Bakopanos	Barnes (London West)
Barnes (Gander—Grand Falls)	Beaumier
Bélair	Bélangier
Bellemare	Bennett
Benoit	Bertrand
Binet	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Brown
Bryden	Burton
Byrne	Caccia
Calder	Cannis
Carignan	Carroll
Casey	Casson
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Clark
Coderre	Collenette
Comuzzi	Copps
Cotler	Cullen
Cummins	Cuzner
Day	DeVillers
Dion	Doyle
Dromiskiy	Drouin
Duplain	Easter
Efford	Eggleton
Epp	Eyking
Farrar	Finlay
Folco	Fontana
Forsyth	Frulla
Fry	Gallant
Godfrey	Goodale
Gouk	Graham
Grewal	Grose
Guarnieri	Harb
Harper	Harris
Harvard	Harvey
Hearn	Herron
Hill (MacLeod)	Hilstrom
Hinton	Hubbard
Ianno	Jackson
Jaffer	Johnston
Jordan	Karygiannis
Keddy (South Shore)	Kenney (Calgary Southeast)
Keyes	Knutson
Kraft Sloan	Laliberte
Lastewka	LeBlanc
Lee	Leung
Longfield	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	Maloney
Malhi	Maloney

Marcel
Martin (Esquimalt—Juan de Fuca)
McGuire
McLellan
Meredith
Mills (Red Deer)
Mitchell
Murphy
Nault
Normand
O'Reilly
Pacetti
Parrish
Penson
Peschisolido
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Reid (Lanark—Carleton)
Robillard
Saada
Scherrer
Serré
Shepherd
Skelton
Sorenson
Spencer
St-Julien
Steckle
Strahl
Telegdi
Thibault (Saint-Lambert)
Tirabassi
Tonks
Ur
Vanclief
Wappel
White (Langley—Abbotsford)
Wilfert
Wood— 197

Bergeron
Blaikie
Cardin
Dalphond-Guiral
Desjarlais
Fournier
Gagnon (Champlain)
Gaudet
Girard-Bujold
Guay
Laframboise
Lancôt
Lill
Martin (Winnipeg Centre)
McDonough
Paquette
Plamondon
Robinson
Roy
St-Hilaire
Wasylcia-Leis— 41

*Government Orders*

Marleau
McCallum
McKay (Scarborough East)
McTeague
Merrifield
Minna
Moore
Myers
Neville
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peric
Peterson
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Rajotte
Regan
Reynolds
Rock
Savoy
Schmidt
Sgro
Simard
Solberg
Speller
St-Jacques
St. Denis
Stewart
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Toews
Torsney
Valeri
Vellacott
Whelan
White (North Vancouver)
Williams

**NAYS**

Members

Bigras
Bourgeois
Crête
Davies
Duceppe
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Godin
Guimond
Lalonde
Lebel
Lincoln
Masse
Nystrom
Perron
Proctor
Rocheleau
Sauvageau
Stoffer

**PAIRED**

Members

Bachand (Saint-Jean)
Bulte
Kilgour (Edmonton Southeast)
Macklin
Martin (LaSalle—Émard)
Ménard
Pettigrew
Picard (Drummond)
Tremblay— 16

*Government Orders*

●(1815)

(The House divided on Motion No. 27, which was agreed to on the following division:)

*(Division No. 150)***YEAS**

## Members

Abbott	Ablonczy
Adams	Alcock
Allard	Anders
Anderson (Cypress Hills—Grasslands)	Assad
Assadourian	Augustine
Bagnell	Bailey
Bakopanos	Barnes (London West)
Barnes (Gander—Grand Falls)	Beaumier
Bélair	Bélangier
Bellemare	Bennett
Benoit	Bertrand
Binet	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Brown
Bryden	Burton
Byrne	Caccia
Calder	Cannis
Carignan	Carroll
Casey	Casson
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Clark
Coderre	Collenette
Comuzzi	Copps
Cotler	Cullen
Cummins	Cuzner
Day	DeVillers
Dion	Doyle
Dromisky	Drouin
Duplain	Easter
Efford	Eggleton
Epp	Eyking
Farrar	Finlay
Folco	Fontana
Forseth	Frulla
Fry	Gallant
Godfrey	Goodale
Gouk	Graham
Grewal	Grose
Guarnieri	Harb
Harper	Harris
Harvard	Harvey
Hearn	Herron
Hill (MacLeod)	Hilstrom
Hinton	Hubbard
Ianno	Jackson
Jaffer	Johnston
Jordan	Karygiannis
Keddy (South Shore)	Kenney (Calgary Southeast)
Keyes	Knutson
Kraft Sloan	Laliberte
Lastewka	LeBlanc
Lee	Leung
Lincoln	Longfield
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
Mahoney	Malhi
Maloney	Marcil
Marleau	Martin (Esquimalt—Juan de Fuca)
McCallum	McGuire
McKay (Scarborough East)	McLellan
McTeague	Meredith
Merrifield	Mills (Red Deer)
Minna	Mitchell
Moore	Murphy
Myers	Nault
Neville	Normand
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Parrish
Patry	Penson
Peric	Peschisolido

Peterson	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Pratt	Price
Proulx	Provenzano
Rajotte	Reed (Halton)
Regan	Reid (Lanark—Carleton)
Reynolds	Robillard
Rock	Saada
Savoy	Scherrer
Schmidt	Serré
Sgro	Shepherd
Simard	Skelton
Solberg	Sorenson
Speller	Spencer
St-Jacques	St-Julien
St. Denis	Steckle
Stewart	Strahl
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Thompson (New Brunswick Southwest)	Tirabassi
Toews	Tonks
Torsney	Ur
Valeri	Vanclief
Vellacott	Wappel
Whelan	White (Langley—Abbotsford)
White (North Vancouver)	Wilfert
Williams	Wood— 198

**NAYS**

## Members

Bigras
Bourgeois
Crête
Davies
Duceppe
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Godin
Guimond
Lalonde
Lebel
Martin (Winnipeg Centre)
McDonough
Paquette
Plamondon
Robinson
Roy
St-Hilaire
Wasylcia-Leis— 40

**PAIRED**

## Members

Asselin	Bachand (Saint-Jean)
Bevilacqua	Bulte
Desrochers	Kilgour (Edmonton Southeast)
Loubier	Macklin
Marceau	Martin (LaSalle—Émard)
McKay (Scarborough East)	Ménard
Pettigrew	Picard (Drummond)
Redman	Tremblay— 16

**The Speaker:** I declare Motions Nos. 25 and 27 carried.

**Hon. David Collenette (for the Minister of the Environment, Lib.)** moved that the bill be concurred in.

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

*(Division No. 151)***YEAS**

## Members

Abbott	Ablonczy
Adams	Alcock

Allard  
 Anderson (Cypress Hills—Grasslands)  
 Assadourian  
 Bagnell  
 Bakopanos  
 Barnes (London West)  
 Béclair  
 Bellemare  
 Benoit  
 Binet  
 Bonin  
 Borotsik  
 Bradshaw  
 Bryden  
 Byrne  
 Calder  
 Carignan  
 Casey  
 Castonguay  
 Cauchon  
 Charbonneau  
 Coderre  
 Comuzzi  
 Cotler  
 Cummins  
 Day  
 Dion  
 Dromisky  
 Duplain  
 Efford  
 Epp  
 Farrah  
 Folco  
 Forseth  
 Fry  
 Godfrey  
 Gouk  
 Grewal  
 Guarnieri  
 Harper  
 Harvard  
 Hearn  
 Hill (Macleod)  
 Hinton  
 Ianno  
 Jaffer  
 Jordan  
 Keddy (South Shore)  
 Keys  
 Kraft Sloan  
 Lastewka  
 Lee  
 Lincoln  
 Lunn (Saanich—Gulf Islands)  
 Mahoney  
 Maloney  
 Marleau  
 McCallum  
 McKay (Scarborough East)  
 McTeague  
 Merrifield  
 Minna  
 Moore  
 Myers  
 Neville  
 O'Brien (London—Fanshawe)  
 Owen  
 Pagtakhan  
 Patry  
 Peric  
 Peterson  
 Pickard (Chatham—Kent Essex)  
 Pratt  
 Proulx  
 Rajotte  
 Regan  
 Reynolds  
 Rock  
 Savoy  
 Schmidt  
 Sgro  
 Simard  
 Solberg  
 Speller

Anders  
 Assad  
 Augustine  
 Bailey  
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**The Speaker:** I declare the motion carried.

## PRIVATE MEMBERS' BUSINESS

[*Translation*]

### CANADA LABOUR CODE

**Ms. Monique Guay (Laurentides, BQ)** moved that Bill C-328, An Act to amend the Canada Labour Code be read the second time and referred to a committee.

She said: Madam Speaker, there is nothing like the strong hand of a good Speaker to bring the House to order. We know how important private members' bills are; therefore, I am honoured to speak today to this bill that stands in my name.

First, let me say that this bill belongs not to me, but to all of the workers who come under the jurisdiction of the federal government. This bill belongs to them. It will help them and ensure that negotiations between employers and employees are more positive, more productive and that disputes are settled more quickly.

*Private Members' Business*

In a few moments I will demonstrate the need for this bill and explain its substance. The purpose of the bill is to prohibit employers that are subject to the Canada Labour Code from hiring replacement workers to carry out the duties of workers who are on strike or who have been locked out. It also includes fines in cases where offences are committed. This is a way to ensure that the integrity of the bill is respected.

Introducing anti-strikebreaking or anti-scab legislation, as it is more commonly called, in the House is nothing new. This is not the first time that we have tried to protect employees and workers to ensure they have equal rights during union negotiations.

The Bloc Québécois has been working here in the House for equality for some ten years now. In Quebec, we have already had anti-strikebreaking legislation for 25 years, and it has proven very effective. I will come back to this a little later.

As a result, it is completely unfair that workers in Quebec who come under federal jurisdiction do not have the same right to healthy and dignified negotiations.

Earlier today, I received a press release that is very eloquent. It came from the CLC. This is not just any old union, but the Canadian Labour Congress. I want to read it because I think it is worthwhile:

Bill C-328, introduced by Monique Guay, MP for Laurentides, Bloc Québécois, enjoys the unanimous support of the Executive Council of the Canadian Labour Congress. It is on the agenda for debate late today, Tuesday, April 29th, in the House of Commons. Another debate is scheduled in the fall, that will be followed by a vote.

Between now and that vote, I encourage all workers to sign the petition and to use our web site to directly fax letters to their MPs to impress upon them the importance of prohibiting employers to use scabs during strikes or lock-outs.

That is very substantial support. The CLC is fundamental and it is also non-partisan.

We present bills to try to protect working people, working men and women. Such bills will help us in our attempts to wipe out partisanship and it is important to pass them for the improved well-being of all people, no matter which party presented them. In fact, I have already heard some hon. members say that they would vote against the bill because it came from the Bloc Québécois. That is unacceptable.

When we have progressive things to propose—when we have bills that advance the cause of humanity—we must succeed in achieving understanding here, and we must vote according to our own conscience. For that matter, we have private members' bills on which members can vote according to their conscience and represent the people in their ridings.

Every member in the House—each one of us—has employees governed under the Canada Labour Code. Each one of us has a responsibility to ensure that they are well protected and that they can negotiate on an equal footing with their employers, through their union.

There are four main messages I want to get across here. Anti-strikebreaking measures are indispensable if we wish to have civilized negotiations during disputes.

● (1820)

I do not have to draw a picture, I just need to review a few recent disputes, for instance the Cargil dispute. These people have been out on the street for three years now. In fact, they cannot even demonstrate any more, because there is no more sidewalk. The employer has fenced off the street to keep them from protesting. This is absolutely unacceptable.

The Vidéotron dispute went on for 10 long months. Men and women got through Christmas on virtually nothing in order to try to preserve jobs. They tried to keep 500 jobs and this went on for ten long months. Things would have been different had there been antiscab legislation.

Moreover, my bill had been debated at that time and gained no recognition here. It was not voted on, so we could not see who would have wanted to vote in favour of it. This time, surprise. It will be votable and we will see who has the guts to support it, to vote in favour of it.

I have talked about Vidéotron and now I will talk about Secur, another dispute that dragged on, and even led to strike breaking. This is regrettable. No one wants that; if negotiating powers are equal this will not happen. People can sit down and negotiate. This is proven and I will demonstrate it later.

The anti-scab measures also promote industrial peace. Anti-scab legislation constitutes the foundation for establishing a fair balance of power between employer and employee, and I cannot repeat that enough.

With anti-scab legislation, people are forced to sit down and negotiate. Normally this brings about far faster resolution because the company must get back into operation and so everyone sits down and tries to find an area of agreement. This can only lead to better working relationships afterward because everyone gets what they wanted. Employers get happy workers, pleased to be able to keep working and often in far better physical and psychological shape to do a good job.

With anti-strikebreaking legislation, we will no longer have two classes of workers in Quebec. As I indicated earlier, there is something wrong with the fact that we in Quebec can conduct negotiations and have bargaining power while having anti-strikebreaking legislation, when at the federal level, a neighbouring society does not have such a power. That is unacceptable.

I would also like to mention something that is very important to me, especially given all the work done on this issue. I have a petition circulating not only in Quebec but everywhere in Canada. All stakeholders, those concerned, employees from any business can sign the petition and return it to us. It is also designed to raise awareness so that workers can express support for this bill to their MPs and ask them to vote for it.



*Private Members' Business*

A petition is circulating, and since the bill is not likely to come back for second reading before the fall, we have all summer to work, and to ensure that the public has access to this petition. It is on my website; I will give out the address later on. It is very accessible, and several copies are available. Every Bloc Québécois member has a copy and will have it signed by all workers in their ridings. This is essential, it is important and the strength and power of the people, and the workers, lies in the ability to express their views and to say, "We want Ottawa to pass anti-strikebreaking legislation".

There is also a broad consensus—and I was truly impressed—among the various unions about the importance of such measures. At least 27 labour unions have expressed support for my bill, and sent me letters asking that I persevere and put it forward again.

Understandably, debating bills that have not been declared votable is not very motivating for members, but we tell ourselves that it will advance the issue and that there will be discussions. Now that mine has been made votable, it has sparked wide interest of course.

These unions have sent me letters, saying, "Ms. Guay, we support you and your bill, and we want it to be passed".

• (1825)

I am also asking them to inform their employees and their elected representatives and tell them that they must vote in favour of this bill.

I must talk about the negative consequences of strikes or lockouts. This has to be said. A strike or a lockout really does have numerous negative consequences, which are sufficient to demonstrate the need to introduce measures to reduce disputes.

During a strike or lockout, there is quite frequently a decrease in local or global economic productivity. Strikes or lockouts lasting longer than ten months in one region mean that people no longer have any purchasing power. These people experience financial difficulties. They often need to draw employment insurance and, then, perhaps welfare. They are no longer productive members of society. They continue to need assistance and often end up on the streets. This should no longer be happening in 2003. Since companies need their employees, they must treat them accordingly. This means respecting them during negotiations.

This affects not only business, but also an entire regional economy. In a riding such as mine, Laurentides, for example, if there were a strike at one of the big companies with over 500 employees, the entire Laurentides area would be affected. This entire area would no longer be able to function, no longer be profitable, and its economy would suffer.

So this is extremely important. As I was saying, this lowers the revenues of businesses and governments. This causes a drop in profits, and, consequently, a drop in the purchasing power of workers directly or indirectly affected. In some cases, this can even lead to socio-economic problems. It is true. It is a vicious circle. Ten months is a long time. What about three years of disputes. What about these people's state of mind? This is totally unacceptable.

These disputes also cause households to go into debt, because people want to continue to participate in society. They want to ensure they have everything they need. Some people are in more precarious

financial situations than others. They are the ones that suffer; they are the ones who pay the price.

Labour disputes also cause stress-related psychological problems. The stress is constant. Workers do not know when they will be sitting down to negotiate and when there will be a frank discussion. Often, the employer will not budge for months on end. Nothing happens.

These workers are left with no voice and no resources because they cannot negotiate. If there was anti-strikebreaking legislation in place, the employer would not be able to play this sort of game. If employers want their company to remain productive, they will sit down with employees and the union and hammer out an agreement that is fair for everyone. Employers are capable of doing this.

I would like to talk briefly about Quebec's legislation. It has been in place since 1977. It is important to give some figures that will prove how useful anti-strikebreaking legislation really is.

Here are some figures I can give. Just prior to Quebec's legislation, in 1976, the average number of working days lost was 39.4. In 1979, it fell to 32.8. In 2001, it was 27.4 days. You can see the difference between 39.4 days and 27.4 days in 2001.

Since I have only one minute left, I will try to be brief. There are other colleagues here in the House who also introduced anti-strikebreaking legislation in the past. We almost won in 1990. We almost won in 1995. I sincerely hope that in 2003, the House of Commons will seriously consider my bill and vote in favour of legislation that belongs not to me, but to all workers across Canada.

• (1830)

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Madam Speaker, I would first like to congratulate my colleague, the hon. member for Laurentides, for having introduced this bill, which has been long demanded by workers in Quebec and especially in Canada.

Quebec is experiencing the same thing, even if Quebec already has similar legislation, because some companies are federally regulated. So, as my hon. colleague was saying earlier, there was a ten-month strike at Vidéotron because there was no bargaining power.

In introducing this progressive legislation in 1977, Quebec was thought to be taking a chance. People wondered if it would work. They realized that the effects of this legislation have decreased the number of strike days, ensured that the two parties meet before the dispute and discussions become bitter. Today, employers and workers in general would not want to be without this legislation because it has helped create a very healthy climate.

*Private Members' Business*

To do so, the hon. member for Laurentides has introduced this bill, following in the steps of two other hon. members. I introduced such a bill myself when I was a Conservative member, and it was passed the next year. By that time, I had become a Bloc Québécois member. It was passed, but only by 18 votes, I think. Thus, here in this House, a movement is building among all the parties to modernize our system of labour relations the way Quebec has done. It is also being done in another province, British Columbia.

This bill deserves to receive the support—and I hope it is unanimous—of the House of Commons. I invite all members to read this bill, to look at the arguments in its favour, and I think that they will hold a non-partisan vote, as the hon. member who spoke previously said, a non-partisan vote that will serve the interests of workers, and also serve the interests of employers, and encourage a dialogue between employees and employers in such a way as to settle longstanding disputes.

For example, we have one in Rouyn-Noranda. I have visited the workers at Rouyn-Noranda radio. It is incredible how they have been living for a year, and all the judicial proceedings they have launched. But all avenues are not yet exhausted, they say, and they think there may be another year or two ahead of them if nothing happens, unless legislation like this bill is passed.

That has happened in other situations as well, as the hon. member has said. In conclusion, as well as congratulating her, I would like to ask if she has yet had any meetings with the members of the other political parties here in the house, and if there is a good chance that her bill will be passed as a result of these meetings.

• (1835)

**Ms. Monique Guay:** Madam Speaker, I want to thank my colleague because it is true, in connection with my reference to 1990 and 1995, that he had introduced a bill along these lines himself and was nearly successful with it. There were some people absent from the House and thus unable to vote. We feel there is an interest in this bill and that is why I am introducing it again, but I am doing so mainly to protect workers.

I have held discussions with various House of Commons colleagues and I think I have a degree of support. We shall see after today's debate, when we will be able to judge a bit better. What is important is to do this for the sake of working men and women.

My colleague and I have met with the Radio-Nord people. They are involved in a labour dispute at the present time. I hope that the journalists are following this closely because it concerns them personally. They are very often under federal jurisdiction when it comes to labour disputes and thus not protected by antiscab legislation.

What happens in a case like Radio-Nord, where we met with some of the employees who are trying to negotiate, is that the employer simply locks them out. We do not know how long this can last. It could be a month, two months, three months. The employer states categorically that it does not want to negotiate and there are still replacement workers carrying on in their place. If there were antiscab legislation, the employer would be obliged to sit down, to discuss things with staff and to find an area of common ground far sooner.

It is therefore essential that we vote for this bill.

[English]

**Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance):** Madam Speaker, once again I am pleased to speak on the bill. I spoke on it when it was brought to Parliament under the old system and I am going to be bringing up the same points today.

The hon. member who proposed the bill said it would force negotiations. Maybe in some extremely limited situations it would, but this is not going to alter situations where there is simply a strike or a lockout. It only deals with one specific little narrow window, that is, where a company continues to operate by the use of hiring new replacement workers. For example, if a company is totally shut down, the bill would have no effect. If a company is running in a limited manner using management personnel, again the bill would have absolutely no effect.

The other problem with the bill is that it is really half a bill, because it deals with replacement workers. Replacement workers are found in a situation where the company and the union go on strike, the company says fine, go on strike, we will simply hire a bunch of new people who are not in the union and have them do the work. The original workers can stay out on strike as long as they want and it would not affect the company. The truth of the matter is that I do not like that. I do not agree with it. I do not like the whole system of strikes and lockouts that we have right now. I think it is something we should have addressed a long time ago and found some alternative for instead of maybe fiddling with little bits and pieces of it.

In terms of the specifics of the concept that the hon. member brought up, I do not agree with the company being allowed to hire people outside of the union contract and bring them in to do the work. There is a contract, an agreement. There is a resolution process in the event of the dispute, either a strike or lockout, and I think that both sides should have to live with that.

Unfortunately the hon. member's bill only deals with that one side. It does not deal with what I would have to call replacement companies. Here is what a replacement company is. When there is a strike or lockout, if a company cannot use replacement workers it is shut down, but the union members can still be on strike and can go to work at another job.

I have an example of this in my riding at a newspaper in my hometown. There was a strike between the newspaper and its staff. It was a very long strike and a very bitter one. In fact, I believe that the company was probably out to try to break the union. What happened is that the union started a newspaper. It was supposed to be a temporary measure to provide them with some revenue during the time that they were on strike, in essence so that they had some strike pay. I do not remember how long this has gone on now; it has been years. What happened in reality is that the newspaper they were on strike from they are still technically on strike from; however, we now have a new newspaper in our town that is run by the people who indeed are on strike and in addition, probably, by some new people they have hired since that time. In essence, the union has replaced the company.

*Private Members' Business*

I do not agree with that either, frankly. I do not agree with a whole lot of the process. I do not like strikes or lockouts. I think they are very unproductive. They were useful in the beginning because there had to be some kind of dispute settlement mechanism and that was the one that was used.

We have a power company in my riding. A few years back the workers there went on strike. They were out on strike for quite some time and management personnel kept the emergency things operating. There was not a whole lot going on so they managed to keep it running. I am sure it probably caused some problems for the company, but it also saved them a lot in salary. They did not hire any replacement workers. So again, this bill would have absolutely no impact on that operation. Months went by and eventually the workers, who had been doing without wages, went back to work. They will never make up the money they lost. The raise they got was essentially the same thing they were offered before they went out on strike.

I respect the hon. member's intentions in bringing forward the bill, but I do not really think it addresses the problem. It addresses such a small part of the problem, and only one side of it, that I think in essence it is problematic. I support collective bargaining, but there is a lot of misunderstanding about what collective bargaining is.

● (1840)

Collective bargaining is negotiations, conciliation and mediation. That is collective bargaining. Strikes and lockouts are not part of collective bargaining; they are the result of the failure of collective bargaining. A strike or a lockout is referred to as a dispute settlement mechanism.

When unions first started, they were needed. Boy, were they needed. In fact, to go back in Canadian history to the beginning of the last century, in certain provinces in Atlantic Canada a person could actually be put in jail for asking for a raise. It was a law on the books. One could go to jail for asking for a raise. That was what we would call an incredibly loaded system, all in favour of the employer. The problem is that when we start to try to deal with these issues and the pendulum starts swinging, sometimes it swings a little too far the other way. Sometimes we lose sight of what we are really trying to achieve.

I think that we need to try to find a way to get away from what we have in collective bargaining primarily today, and that is a very confrontational sort of system. There is a confrontation between the employer and the employee. We have in essence an economic tug of war between the two sides to see who can do without revenue the longest, the employer or the employee. Unfortunately under our current system the winner is often the party that loses the least, and that is not really a very good solution.

We need to come up with something that does exactly what the hon. member said at one point in her speech, that is, force negotiations. Because when the two sides are not negotiating, they are not settling anything. There needs to be some kind of alternative to strikes or lockouts as an absolute dispute settlement mechanism. One that I favour very strongly and which my party favours is final offer arbitration. We do not think that it should be arbitrarily the catch-all that solves all problems, because it is not perfect.

Unfortunately I do not know of anything that is. Certainly strikes and lockouts are not.

If a company and the employees want to agree, they can do it through any number of different methods that do not involve a labour disruption, but I think we need to have something in place that says if parties cannot come to any kind of resolution or cannot agree on a dispute settlement mechanism, then there should be something rather than a strike or a lockout, where everybody gets hurt and there is a lot of collateral damage. In fact, in today's economy, particularly in the federal arena, a handful of longshoremen could go on strike in Vancouver and a farmer and his family in Manitoba could lose their farm as a result of that.

The world is getting far too complex for this. We cannot allow that kind of harm to occur. We must have something that says we will find a way to settle this dispute without it involving a labour disruption. I used to be an air traffic controller, which also comes under federal jurisdiction. The problem we had in trying to negotiate is that we were too powerful. If we could not settle and we tried to go out on strike, a relative handful of people could shut down the air transportation industry of this country. So we got legislated. What was the good of us having the right to strike if we were never allowed to use it because we were so powerful?

We recognize that policemen should not be on strike to watch people get mugged, raped, robbed or whatever else and say they are not going to help because they are on strike. We recognize that firefighters should not be standing on a sidewalk watching a house burn down, perhaps with a small child inside it, because they are on strike.

If we recognize that and say there has to be an alternative for them, then perhaps we should also ask why they should be penalized because of their importance. Why can we not come up with something that deals with the need for them to continue working but be dealt with fairly? Why can we not find that and then apply it to everyone?

I am afraid that I cannot support the bill. However, because I agree with some of the concepts the member raises, I will abstain when it comes to voting on this. I am labour critic for our party. It is a very awkward bill. I do not dispute that the member is trying to do some good or that there are some agreeable parts to her bill, but as I say, it is only half a bill. We cannot take a system, as bad as it is, and take away the tools from one side while leaving all the tools for the other.

Let us imagine a hockey team where one side was told it could not have a goalie. It would not be much of a game. There must be balance. As much as I think the member's intentions are good, the bill would produce an imbalance in the system. What we need to do is come up with a much more total solution so that everyone is able to continue to work, draw a salary, aid their community and not cause problems for other parts of our country as well.

*Private Members' Business*

•(1845)

**Mr. Gurbax Malhi (Parliamentary Secretary to the Minister of Labour, Lib.):** Madam Speaker, I am pleased to join the debate on Bill C-328, which asks the government to amend the Canada Labour Code. The bill seeks to disallow employers under the jurisdiction of the Canada Labour Code from hiring replacement workers to carry out the duties of employees who are on strike or locked out.

This is not the first time this issue has been examined in the House. We debated a private member's bill similar to this one last fall. The issue of replacement workers has been considered very carefully by the government on a number of occasions and it remains of ongoing interest, but it is not a matter that I see requiring new legislative action at this time. I believe that part I of the Canada Labour Code is able to deal fairly with the issue of replacement workers in the federal jurisdiction by accommodating the competing values and interests of employers, unions and employees.

As hon. members may recall, the government proposed and the House passed a number of amendments to part I of the Canada Labour Code in 1999. Among other things, part I of the code deals with the use of replacement workers during strikes or lockouts. Some of the changes that were made to part I at that time addressed the issue of replacement workers in the federal jurisdiction. These changes were based on a lengthy and extensive process that included a study by an independent task force of industrial relations experts.

Over the course of these consultations, representatives of labour and management were able to agree on a number of key reforms. However, on the issue of replacement workers, the parties maintained firmly opposing positions and could not reach an agreement. In its report, the task force summed up the situation by saying, and I quote:

No issue divides the submissions we received more than the issue of replacement workers. Labour was nearly unanimous in favouring a legislated prohibition on the use of replacement workers. Management was equally unanimous in its opposition to such a proposal.

The government understands that each side has a legitimate reason for holding the position it does. I do not believe it is advisable to take one side or the other, such as Bill C-328 appears to do. I feel the appropriate legislative position is one that strikes a balance between these two opposing positions.

This is the approach that was taken when part I of the Canada Labour Code was amended in 1999. I believe this approach should be maintained and encouraged. In effect, the amendments that were made in 1999 are a compromise between the opposing positions of the employer and employee communities. The existing legislation does not impose a general prohibition on the use of replacement workers during legal strikes and lockouts.

However, the law does prohibit the use of replacement workers to undermine a union's representational capacity rather than to pursue legitimate bargaining objectives. Such an action could be described as an unfair labour practice. The intent is to provide employers with some flexibility to meet their operating responsibilities and to prevent them from using replacement workers to upset the legitimate bargaining objectives of a union during a work stoppage.

To this effect, the legislation provides an alternative for unions or employee representatives in the event of a dispute over the use of replacement workers. In other words, the changes that were made to the Canada Labour Code on the use of replacement workers in 1999 were designed to balance the opposite interests of employers and employees on this difficult issue.

If an employee group or union believes that an employer is engaging in unfair practices under this section of the code, they can file a complaint with the Canada Industrial Relations Board. This board is an independent, quasi-judicial tribunal responsible for interpreting and administering part I and certain provisions of part II of the Canada Labour Code. Its members include representatives from employer, union and independent third party groups.

•(1850)

From time to time advocates for one side might cite specific situations where the issue of replacement workers is of concern to them, but we know that well over 90% of the disputes that arise between employers and employees under the Canada Labour Code are settled without a work stoppage.

It is premature to conclude that the amendments concerning the use of replacement employees are not working in the broadest public interest. It is, therefore, too soon to say that the law should be changed again, especially to move altogether to one side of the equation as Bill C-328 appears to do. In short, the current replacement worker provisions of the Canada Labour Code must be given a chance to work.

As the Minister of Labour often says, the best solutions to labour-management issues are usually those that the parties arrive at themselves. It is not our job, she says, to impose solutions, but rather to facilitate them. Bill C-328 appears to recommend imposing a solution that supports one side over the other, but it is unwise to move to that position so soon after the last amendments were made. There does not appear to be a consensus in favour of change and there is no convincing evidence to indicate that the existing situation is not working.

These arguments were made last fall when the opposition brought forward a bill similar to the current one and I stand by them again today. However, I am not denying that there is an important policy issue at stake here. I fully recognize that the issue of hiring replacement workers during work stoppages remains an unsettled one and that both sides hold very strongly to their respective positions.

I agree that the situation should continue to be monitored carefully. Nevertheless, I am not in favour of the kind of change proposed in Bill C-328 at this time and I will not support it.

•(1855)

[Translation]

**Mr. Dick Proctor (Palliser, NDP):** Madam Speaker, I am delighted to have the opportunity to speak to Bill C-328, put forward by my colleague from the Bloc Québécois, the hon. member for Laurentides.

This bill would prohibit the hiring of replacement workers during a strike or lockout and provides for the reinstatement of workers following a strike or lockout.

*Private Members' Business*

[English]

For many years the labour movement and the New Democratic Party have called on the federal government to ban the use of replacement workers during strikes and lockouts. Our federal party has passed resolutions demanding the government amend the Canada Labour Code to prohibit the use of scabs.

This private member's bill, introduced by the member for Laurentides, goes a long way toward achieving what our party believes regarding the use of replacement workers. If it were enacted, it would put an end to a practice that subjects trade union members to insult and unfairness, not to mention financial injury, and frankly stacks the labour relations deck in favour of management and against working men and women. For those reasons alone we will be supporting the bill.

Experience has shown that the prohibition on the use of strikebreakers has contributed to civilized industrial relations during work stoppages and it has also reduced the number of workdays lost due to strikes or lockouts. On the other hand, strikes and lockouts accompanied by the employer's use of replacement workers gives rise to several negative and unnecessary strains on the labour-management relationship, including prolonged and more bitter conflicts, more strikes and lockouts, not fewer, increased picket line confrontations and violence, less free and meaningful collective bargaining, and problems that actually make the problem more severe rather than ease the transition.

I recall a garbage strike that happened more than three decades ago in Ottawa. At that time I was working for the Canadian Union of Public Employees. The City of Ottawa decided in its wisdom to contract out the garbage pickup in Ottawa to a private company, and its first goal was to break the union. I say without fear of contradiction that it was a terrifying situation. The city police were called in. It was bitter and tense. There was damage on both sides and fortunately, people finally came to their senses and order was restored.

Those are the kinds of things that can happen when things do get out of hand. I would observe that these strains are often more pronounced in smaller bargaining relationships where the tradition of labour-management negotiations is not as embedded as in other labour-management negotiations.

The Canada Labour Code as it stands is weak on the issue of replacement workers. It prohibits their use as long as the employer appears to be negotiating with the union.

We look forward to having the member's bill examined in committee and discussing other amendments to the Canada Labour Code. These amendments would include prohibiting the use of both bargaining unit and non-bargaining unit employees, or any person, including those persons who have exercised managerial functions; prohibiting the use of persons engaged, transferred or hired after the earlier date on which the notice of intent to bargain is given and the date on which bargaining actually begins; prohibiting contracting work out of the establishment; providing protection from discipline for any person who honours a picket line; and an enforcement mechanism that would include permission for the union to enter and

inspect the employer's premises in the company of a government labour relations officer and representative of the employer.

Our caucus believes that these are all achievable goals. They arise from a deeply rooted philosophy and are really a matter of political will.

● (1900)

[Translation]

A NDP government in Ontario passed Bill 40 prohibiting the hiring of replacement workers. The implementation of Bill 40 resulted in fewer work stoppages, moderate union demands at the bargaining table and civilized picket lines.

[English]

This piece of legislation that was introduced by the Bob Rae government in Ontario, of course, did not stand the test of time. It was immediately repealed by the Conservatives under Mike Harris when they came to power in 1995. We note that labour-management relations have not improved as a result. In fact, they are going in the opposite direction.

It is important to acknowledge this, perhaps especially today because as members know a new government in Quebec is being sworn in. I would predict that there will not be significant changes in the labour laws in that province as a result of the Liberals replacing the Parti Québécois. Why? Because it has been proven to work in Quebec.

The banning of scabs or replacement workers during confrontations or during labour-management disputes that occur in Quebec that fall under provincial legislation has worked well. We have seen it when the Liberals were in power in Quebec. There was no significant change to that legislation.

I fully expect that the Charest government will continue to honour that. We need to learn from the province of Quebec and how it has indulged in labour-management relations over quite a considerable period of time. It seems to be working well. We cannot seem to get it right in English Canada.

Any time replacement workers are used it seems to undermine the capacity of a union to represent its striking or locked out workers. Any uncertainty here could and should be resolved by a straightforward general prohibition on the use of replacement workers during strikes and lockouts as the bill calls for.

As I indicated, the labour code needs to be amended to explicitly prohibit the use of scabs. The New Democratic Party supports any and all legislation that respects workers' rights. For that reason we are pleased to support the bill proposed by the member for Laurentides.

Before I conclude, I listened to the member's speech and heard what she had to say about the three year strike at Cargill and the strike that went on for far too long at Vidéotron. Again, these are contrasts where the provincial legislation in Quebec did not apply. It was federal legislation. The Cargill strike was three years and Vidéotron was 10 months or something like that. This is unique in the province of Quebec. It happens because it falls under federal legislation as opposed to provincial legislation.

*Private Members' Business*

I listened as well to the member from the Alliance from British Columbia. He did not quite say that we do not need unions anymore. He did say that there was a time when unions were needed in this country. He went on to talk about final offer arbitration. He forgot or failed to mention that more than 90% of all negotiations are settled amicably without a strike or a lockout.

For the notion that firefighters would stand by while a house was burning down or a child was burning up, as it were, is simply ludicrous. When we have situations like that where essential workers are permitted to go on strike or are locked out, then essential services are provided as well. The trade union movement has been very good in this country, and I would say around the world, at ensuring that essential services are carried out when there is a strike or a lockout in progress.

This is a good piece of legislation and I would urge all members of the House of Commons to support it.

● (1905)

**Mr. Norman Doyle (St. John's East, PC):** Mr. Speaker, I want to say a few words on Bill C-328, an act to amend the Canada Labour Code.

We are all aware that the purpose of the bill is to prohibit employers under the Canada Labour Code from hiring replacement workers to perform the duties of employees who are on strike or locked out. We certainly need this kind of legislation in the country to balance the rights of all individuals, the rights of people who are on strike and the rights of the employers as well.

Clause 1 of the bill provides that workers get reinstated after a strike or a lockout is over. If the striker is not recalled, the onus is on the employer to prove why the striker was not recalled. That sounds eminently reasonable as well. Every individual who is on strike and withdraws services certainly has the right after a strike is over to go back to work. If the individual is not recalled he or she should have a right to demand of the employer that a reasonable reason be given as to why he or she was not recalled. That sounds eminently reasonable to me.

Clause 2 of the bill, proposed subsection 94(2.1), gives detail to the proposed legislation, namely that an employer cannot directly or indirectly employ people to do the work of those who are on strike or locked out. Again that sounds reasonable to me.

Proposed subsection 94(2.2) provides an employer with the right to take measures to avoid destruction of his or her property. I would certainly have to agree with that particular clause. Many employers I am sure suffer a great deal as well when a strike is on, when the strike gets a little out of hand and the employers suffer destruction of the property. This will give the employer the right to take measures to avoid destruction of his or her property.

Proposed subsection 94(2.3) actually constrains the ability of the employer to abuse the right that has been given to him or her under proposed subsection 94(2.2).

Proposed subsections 94(2.4), 94(2.5) and 94(2.6) give the Minister of Labour the tools to investigate breaches of the act.

It appears to me that everyone is covered under the bill. The employer is covered and is given certain rights. The employee is

covered and is given certain rights. The government's interests under the Minister of Labour are looked after as well.

Clause 3 of the bill amends section 100 of the Canada Labour Code to provide a fine for people found guilty of breaching provisions of the act.

I support the bill. I have long been a supporter of the fundamental right of an individual to strike. I have always been very reluctant as a matter of fact to place any restrictions on an individual's right to strike, provided of course, and we all agree, that the strike is legal.

Bill C-328 is a way of making the right to strike more effective once a strike becomes a reality. As I said a moment ago, if it is a legal strike, I would be very reluctant indeed to place any restrictions on an individual's right to walk out legally.

There are people who might say that having Bill C-328 is like the labour movement wanting to have its cake and eat it too. However, I would have to ask, what use is cake if one cannot eat it?

● (1910)

Why should anyone be satisfied with having a right but no means to effectively enjoy the right?

All of us have seen many strikes in our lifetime. Some have been easygoing and friendly; others have been very acrimonious, loud and bitter. In every case however, the introduction of a replacement worker has always made the matter much worse than what it really should be. It has always raised the temperature on the picket line when a legal strike is in progress and all of a sudden a replacement worker is bused in. It always sets the devil, if you will, in people on the picket line and well it should. When people have been on a picket line in the rain for days, the sight of replacement workers being bused in is really a bit too much for people to handle.

The employer has certain rights, but we have to remember that the individual has the right to strike. He has won the right to strike and there should not be replacement workers coming in. When it happens, shouts will sometimes replace dialogue. Very often we see that push comes to shove and we see violence on the picket line. Maybe the bill will have the ability to curb some of that. Implementing Bill C-328 would reduce the incidence of acrimony and violence on the picket line.

Very often management employees do as much of the work of the striking employees as they can. However when those management employees start hiring assistants to help them do the work of the strikers, they are asking for problems. They are asking for trouble, because when they do that, it is another kettle of fish. A strike is about withdrawing services. It is not about having the services replaced with the services of other people.

We have to remember something very important as well: Life has to go on when the strike is over. Things get back to normal a whole lot more quickly if there is no nasty incident happening on the picket line and no people are shouting and fighting because replacement workers are coming in. Doing things professionally and rationally is in the best interests of both management and labour.

Let me conclude by saying that in labour relations, let the strike and the lockout be the weapons of the differing parties. Without something like Bill C-328 in spirit or in law, the weapons in labour conflicts can be harsh words or even fists. Let us have Bill C-328 or something like it. In other words, let us have our cake and eat it too.

• (1915)

[*Translation*]

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, my understanding is that I have one minute remaining. I too would like to speak to this bill, to support it and to thank the NDP member and the Progressive Conservative member who have expressed clear support.

As for the Alliance member who told us that he finds half of the bill really great and the other half not so great, we wish that he would be specific. After clarifications are provided and the situation of

*Private Members' Business*

some people at Radio- Nord for example is examined, perhaps the members of that caucus will support the bill.

I also think that the parliamentary secretary ought to seek the views of workers. What he is saying does not seem to reflect what we are being told by workers when asked about this bill.

I will stop here, since I am getting the signal that my time is up. I hope that, together, the members of this House will ensure the success of this bill by supporting it so that working relations can develop in Canada as they did in Quebec.

**The Acting Speaker (Mr. Bélair):** The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the Order Paper.

[*Editor's Note: For continuation of proceedings see Part B*]

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CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, April 29, 2003**  
**Part B**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Tuesday, April 29, 2003

[Editor's Note: Continuation of proceedings from Part A]

## EMERGENCY DEBATE

[English]

### COD FISHERY

**The Acting Speaker (Mr. Bélair):** The House will now proceed to the consideration of a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely the cod fishery.

• (1915)

**Mr. R. John Efford (Bonavista—Trinity—Conception, Lib.)** moved:

That this House do now adjourn.

He said: Mr. Speaker, I want to begin by thanking you for allowing me the opportunity to introduce this debate. I will be sharing my time with my colleague, the Parliamentary Secretary to the President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs.

This debate was brought on as a result of the minister's decision last week when he went to Newfoundland and Labrador and closed down the cod fishery, a decision which we, the people of Newfoundland and Labrador, believe was wrong. We want to take the opportunity and the time in this debate to convince the minister that a mistake was made last week. In the best interests of the people of Newfoundland and Labrador, let us work together to reverse the decision and put a plan in place that will build not just the cod stocks but the fish stocks of Newfoundland and Labrador.

Our intent is to convince this hon. House of why we as Newfoundlanders and Labradorians believe it was the wrong decision and how we see the decision can be changed to benefit the industry of Newfoundland and Labrador and the people of that province.

We do not mind admitting when mistakes are made. It is only those people who do absolutely nothing who do not make mistakes. Mistakes are made to be corrected. We are going to ask the minister to listen carefully this evening to our plea and to the reasons that we believe it was the wrong decision.

I need first to talk about the fishing industry of Newfoundland and Labrador, how it came about and what type of impact it has had on the people over the hundreds of years they have lived in that province. It is the only reason the people came across the Atlantic

Ocean some 500-plus years ago to settle in the communities. It was based on the massive cod stocks, the massive fish stocks in our waters.

Very few people realize that at one point in time we had in excess of 2.5 million tonnes of cod fish in our ocean besides all of the other species. It is unbelievable to know that today we are now discussing in this hon. House the closure of two of the final stocks in the northern gulf and along the northeast coast of Newfoundland and Labrador. There is only one stock remaining along the south coast of Newfoundland and Labrador.

We have to understand how we got there. We are not going to point any fingers at anybody in the country of Canada except around Newfoundland and Labrador, to companies both Canadian and foreign. I will use only one word to describe how we arrived at the closure of the fishery in 1992: greed. There was no respect for conservation. Taking into consideration that we had the largest fish stock unequalled anywhere in the world, it was reduced to a closure in 1992.

We are blaming it on nobody, only the greed of large companies, factory freezer trawlers and foreign trawlers. We will also take some responsibility ourselves because those of us who sat idly by and allowed it to happen must share some of the responsibility.

The fishing industry has always been, is today, must be and will be in the future the backbone of the economy of Newfoundland and Labrador. There is no other reason the rural communities of Newfoundland and Labrador can exist without the fishing industry. It is no different from the farming industry in other parts of Canada. It is no different from the manufacturing industries in Ontario and all of the other centres around this great country of ours.

We want the government and the minister to understand the importance of making the right decision to benefit not only the people living in those communities today, but the people of the future. If we do not put the right building plan in place, the right management plan in place, then we all know that the stocks will never, ever return for generations and generations to come without some magnificent miracle by nature itself.

I have already said that the stocks went to an all time low in 1992 because of mismanagement. There is another thing I want to point out. Since 1992 to the present day, there has been no rebuilding management plan put in place.

• (1920)

The only time we hear from DFO is in a reactionary situation when a crisis takes place. That is a key fact that we must remember.

*S. O. 52*

The minister did not cause the decline of the fishery. The minister inherited a problem. That is why we formed an all party committee in Newfoundland and Labrador and offered the minister a partnership to deal with a major situation, a situation that could have been avoided.

The other thing we have to recognize is that the fish stocks are not only part of the economy of Newfoundland and Labrador and not only do they give us a reason to stay in that province, but they also are part of the world food chain. That in itself is a major issue.

It is not the same as the oil we take out of a well. When the last barrel is taken out the well is dry. The fish stocks are renewable resources, all the cod, the caplin, the herring, the mackerel, the crab and the shrimp. All we are saying is that they must be managed properly.

When we came forth with the all party committee report we were not asking the federal government for millions of dollars. We said that we did not want money. We said that the government did not have to close this little fishery and that it did not have to give us any money. All we asked for was that the government allow the fishermen go in their boats, and that it put an appropriate rebuilding plan in place.

If we had come asking for another \$1.5 billion or \$1.7 billion I could understand the government's reluctance to talk to us because we spent a lot of money after 1992. However the all party committee from Newfoundland and Labrador did not mention money.

We offered the present minister a partnership to work with us. We gave him some 19 recommendations. We asked him to come back and sit down with us to discuss each recommendation. We wanted to take the responsibility of developing a plan, knowing full well that we could work together to rebuild the stocks in the short term.

Even if we had done everything right and everything to perfection, we knew the stocks would not return to the way they were in the 1970s and 1980s for generations to come, but we knew we had to start the rebuilding process.

If we do not start the rebuilding process communities will disappear. People's lives will be reduced to a welfare state again. That should not be happening with the ocean that is out there which can provide the jobs the people in the communities need, not only the people directly in the fishing boats but those people who are living around the spin off industries that create the economy of our province.

I want to read some numbers. We are talking about closing the fishery along the northeast coast where only 3,500 tonnes of fish were caught last year. That is all they are asking for this year. The fishermen in the gulf caught approximately 6,000 tonnes. We are talking about 10,000 tonnes or 9,500 tonnes last year. That is all we took away.

According to the minister's own advisory committee, his own scientific information, last year in the gulf alone the grey seals and the harp seals consumed 39,000 metric tonnes. The minister's own scientists sent me a letter saying that last year the seals consumed 900,000 metric tonnes of caplin. This is a million times more than what the fishermen took out of the ocean last year.

One might ask why this is happening. We caused it to happen. We fished for 500 years and hunted seals for 300 years. We kept the ecosystem in balance. However we then we became greedy and overfished. At the same time we allowed the animal rights protestors to stop the sealing industry. Therefore we have allowed the balance of nature to get out of control.

I ask the minister to listen to what we are saying. I ask him to reverse his decision and give us an opportunity to sit down and put an appropriate building plan in place, and to recognize how little fish the fishermen are asking to take out of the ocean compared to the mortality rate.

It is necessary to deal with this for the benefit of our communities. It is the best way to ensure that Newfoundland and Labrador, with its rural economy, can grow and survive. It is a right and part of our culture to be a part of this great country of Canada.

• (1925)

**Mr. Bill Matthews (Burin—St. George's, Lib.):** Mr. Speaker, first I want to thank my colleague, the member for Bonavista—Trinity—Conception, for sharing his time with me.

I am pleased tonight to take part in the emergency debate on the fisheries, particularly the cod situation in Newfoundland and Labrador.

I want to say at the outset that I cannot support the decision that the Minister of Fisheries and Oceans made last Thursday when he announced the closure of the northern and gulf cod stocks.

The minister's announcement, particularly as it pertains to the northern cod stocks, pretty much tied in with the recommendation of the all party committee and the FRCC. Where the big difference lies is in the gulf cod situation. There the minister has gone from a 7,000 metric tonne allocation to no fishery at all. He shut down the fishery in the gulf. I therefore cannot support the minister's decision, and there are a number of reasons for that.

I have two main reasons for not supporting the minister's decision. My colleague alluded to both of the reports. The first report was from the all party committee from Newfoundland and Labrador, a committee made up of provincial and federal politicians; members of the Senate; leaders of all three political parties in Newfoundland and Labrador, including the premier, the leader of the opposition and the leader of the NDP; and parties in the House of Commons. The other report was the FRCC report.

The FRCC report and the all party committee report were together on a couple of points. One point was that there should be an information fishery in the northern cod zone, and we respect that. An information fishery was all that the very fragile biomass of cod could sustain. The difference in the gulf is that the all party committee recommended a limited commercial fishery. We did not say that the minister had to keep the total allowable catch at 7,000 metric tonnes. We said that it should be a limited commercial fishery.



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The Fisheries Resource Conservation Council, the minister's own advisory council, people appointed to advise the minister, recommended a 3,500 metric tonne fishery in the gulf. Even if the minister had not been willing to have a fishery somewhere between 3,500 metric tonnes and 7,000 metric tonnes, which, in my own personal and humble opinion, my recommendation to the minister would have been a 5,000 metric tonne fishery where the minister could have reduced the catch by 2,000 metric tonnes in the name of conservation, he could have gone to a more friendly gear type with hook and line. We could have taken more action on seals and some other actions recommended by the all party committee.

In my view, a 5,000 metric tonne fishery, done under the recommendations of the all party committee and the Fisheries Resource Conservation Council, would have given this stock a much better chance of rejuvenation and regeneration than what will happen now with a total closure.

I would not be standing in the House tonight suggesting that if I did not seriously believe that was what should have happened here. The all party committee gave the minister a very comprehensive fisheries management plan. In my view again, it is the first time in the history of this country and of our province where a federal minister of Fisheries and Oceans has been given a comprehensive fisheries management plan to deal with the cod situation in the gulf.

Having said that, I think I have explained why I have difficulty supporting the minister's decision. The most lingering question in the minds of Newfoundlanders and Labradoreans, in particular those fishermen and fish plant workers, and those communities affected by the minister's decision, is why the minister did not listen to the recommendation of his own conservation council.

There is a debate as to whether 3,500 metric tonnes is a real fishery or not, but if the minister had accepted the advice of his conservation council, then the people could have decided that for themselves. If they did not want to pursue the 3,500 metric tonne fishery or if fewer of them had pursued that 3,500 metric tonne fishery, it would have been a decision that they would have made.

However we felt, and we still feel as members of the all party committee, as do people who I have talked to in Newfoundland and Labrador, that there is a real need to have a limited commercial fishery in the gulf for all the right reasons. It is not because we do not believe in conservation. It is because we do believe in conservation. We believe the best way to deal with this issue is to engage people, sectors of the industry and, in particular, harvesters on the water.

• (1930)

If we take them off the water and do nothing else, we will, in my view, further decrease the biomass. We have done it for 10 or 11 years. We shut down the fisheries and did nothing else.

I ask members in the House tonight and others listening if they can please tell me what the state of the biomass is today after 10, 11 and 12 years of moratorium? The biomass is worse. Obviously closure is not the answer. People must be on the water. Other measures must be introduced in the name of conservation and in the name of rebuilding these fish stocks which are so important to the people in Newfoundland and Labrador and our rural communities.

As my colleague from Bonavista—Trinity—Conception has so rightly said, it is a Newfoundland and Labrador resource, it is an Atlantic Canada resource, it is a Canadian resource and it is a world resource. It is a food, a protein for this world that we are talking about rebuilding. Who in the name of God can talk against conservation? Who can talk against proper measures to rebuild that important resource for all of us, including the whole world?

Ten minutes is not very long in a situation like this but I respect having the time, and I know other members want to speak, but there is another thing I want to say.

I want to again go on the record again as saying that I do not support a closure. I support a limited commercial fishery. The minister has the authority to shut down the fishery which he announced last Thursday. I ask him to reconsider that. I ask him to at least reconsider establishing 3,500 tonnes at least in line with his own conservation council's recommendation.

When we have shut down fisheries in the past, many important components were part of that closure. There was an early retirement program based on certain criteria: age and experience in the industry. There was a licence buyout program for those who wanted to sell out their enterprises, who wanted to get out of the fishery because of their age or because they really did not see any hope.

This time there is no early retirement component and no licence buyout component. I asked the minister today in the House, as I did the day before yesterday, why those components were not there if he himself had made this decision. I also wanted to know why there was no extension to the employment insurance benefit program for those people who would be exhausting their benefits in the next few days or in the next two or three weeks, or for those who will not be able to fish lobster and crab because of the ice.

I have asked very legitimate questions that must be answered by someone in authority in the government. I think it is totally unacceptable that we have not seen fit to extend the employment insurance benefits to those people who need them, those people who have paid into the fund and those who have contributed to the surplus. We would not be precedent setting. We have done that on a number of occasions in the past. Why is it different this time? We cannot treat the people any differently this time than we have treated them in the past.

I have talked about the components. We have extended EI. We have had provisions for early retirement. We have had licence buyout programs. The people affected this time should have the same treatment. They cannot be discriminated against.

Every decision on the management of this resource is a federal government decision. The size of the boat, the type of gear, the length of the season and the total allowable catch are all federal government, DFO related management decisions. We have to take responsibility for it.

Those people who will be negatively impacted because of a decision made by the Minister of Fisheries and Oceans must be treated fairly. We cannot treat them differently this time in 2003 than we treated them in 1992.

*S. O. 52*

In conclusion I want to ask the Minister of Fisheries and Oceans for Canada to please reconsider his decision and to please take the advice of his fisheries resource conservation council and at least set the total allowable catch at 3,500 tonnes.

● (1935)

I ask the minister and other ministers to please consider an extension of the employment insurance program, to bring in an early retirement component and a licensed buyout program for those people who want to take it. There may be those who do not want to but the opportunity should be afforded them.

I ask the minister and other ministers in related portfolios in the government to please consider this on behalf of the people I represent and we all represent in Newfoundland and Labrador.

**Mr. John Cummins (Delta—South Richmond, Canadian Alliance):** Mr. Speaker, it is not with a great deal of pleasure that I rise to speak to this issue because it is one that we addressed not that long ago in the House, the concerns that many of us had about the fisheries in Newfoundland and Labrador and elsewhere in the country. It is also a problem in a sense that is symptomatic of the fisheries department. That is what disturbs me the most.

I have been in this place almost 10 years and during that time there have been five federal ministers of fisheries. On the west coast, the sockeye salmon has a lifespan of about four years. It is said that the average fisheries minister does not last half the life cycle of the odd sockeye salmon. That is part of the reason we are standing here today. It is because there is no commitment on behalf of the government to putting in place the kind of leadership that is necessary to manage the fisheries resource in this country.

It just does not stop there. If we look at our fisheries committee, I have sat on the fisheries committee for the best part of the last 10 years. Certainly fisheries issues have been at the forefront of my interests in Parliament, aside from other constituency matters. Yet there are members in the House who have been here much longer than I, and unfortunately when I look at that committee, I am probably the senior member on it. That is not healthy because it says that there is a lack of corporate history and understanding of these issues and that is reflected in the very committees of the House, the committees that are charged with the responsibility of managing the fisheries resource.

It goes on from there. We have a new deputy minister now and this deputy minister is not a man who has a history in the fishery. He was a rear admiral, a navy man. I have not a clue what to say about the talents that individual will bring to the table when it comes to managing the fisheries resource. I have not a clue what to say about the kind of leadership he will be able to exert on the department. He is not somebody to whom I would want to go for advice if I were the minister of fisheries for this nation. I certainly would not be looking to an admiral for advice about fisheries matters.

However it just does not stop with the deputy. If we look at the assistant deputy ministers here, again they are largely inexperienced when it comes to management of the fisheries. They are people who may have demonstrated the ability to manage elsewhere in the government, and for some reason someone in the Liberal government feels that they are capable then of being a manager in the Department of Fisheries and Oceans. However what do they bring to

the table when it comes to accepting the advice of those people in the department who are working the field, who have a knowledge of the fishery and who have made it their life's business?

Of all the deputies in the department now, the only one that I can think of who has dedicated his civil service career to the fisheries is Mr. Chamut. Lord knows I have had many a battle over the last 10 years and before that with Mr. Chamut but for sure he has dedicated his civil service career to the fishery, he is knowledgeable and when we engage him in debate we know that we are debating someone who understands the fishery. He may not come to the same conclusions as us but at least he has some knowledge. Unfortunately, because of the requirements in this department, he is precluded from accepting or being promoted to the lead position in the department.

We have a problem in the fishery on the east coast and we have a problem in the fishery on the west coast because there is no competent leadership in the Department of Fisheries and Oceans. There is no competent leadership at the political level. There is no competent leadership within the department.

As a way of an example, a couple of years ago the department put in place a manager whose career before that had been in the Coast Guard. The previous year this individual had been running a boat for the Coast Guard and all of a sudden he was deemed fit to be a manager of the Fraser River fishery. With that kind of leadership, I see the troubles continuing.

● (1940)

I am bothered by what I see here today. I am bothered by the decisions the minister had to make. I do not agree with many of the decisions he has reached but he certainly has my sympathy because he has a huge job and he does not have the troops backing him up.

It is common knowledge that some of the largest Newfoundland towns are now located in Alberta. That is a sad commentary. It gets to the very heart of what it means to be a Canadian and what it means, I am sure, to come from the great province of Newfoundland and Labrador because there are no job opportunities there. One of the major industries is being run by people who really have no business being in the position of managing a fishery because they do not have the experience and they do not have the background. However that is part of the problem we are facing in this country, and this lack of leadership is largely the reason why we are here today.

I mentioned that I had some sympathy for the minister and I do. However I have to be very critical of the decisions he has made recently and of the failure of the Liberal government over the past 10 years to make decisions that should have been made.

We know, as one of the members previously said, that the cod stocks on the east coast are in worse shape now than they were in 1992. In some areas they are only a fraction of the level that they were a decade ago. The reason for that is the government has taken no aggressive conservation measures to aid in the rebuilding of fish stocks on the east coast.

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The government has allowed other fisheries to disturb cod spawning areas. Seal populations have mushroomed, moving in like a pack of wolves on a herd of unsuspecting lambs, attacking cod spawning and nursery areas, all without any response by the federal government. In fact this decade of moratorium has really become a free lunch program for seals.

The information that the department gives us, for example, on the harp seal population shows that in the 1970s the seal populations were at their lowest. In 1972, according to DFO estimates, the seal population reached a minimum of 1.85 million seals. By the 1990s, the harp seal population was increasing, it claims, at a rate of 5% a year, reaching 4.4 million seals in 1992. In 1999 the population had reached the level of 5.2 million seals.

I would like to know this from the government. What level of seals it feels is appropriate for the east coast? Is it the not quite two million that were there in the 1970s or is it some other magic number? If we are talking about two millions seals or three million seals, I would like to know how the government intends to get there because the plan that the minister has offered, the \$6 million to examine this problem over the next couple of years, will not do the job. What is needed is some action on that front now. I would like to know just what direct action the government intends to take on this very critical area.

We have had a decade of seismic testing that went forward in fragile spawning stocks throughout the coastal waters on the east coast. Foreign fishing continues just off the continental shelf. The fisheries committee of the House and the Government of Newfoundland and Labrador both called on the federal government to take over responsibility for the fishery on our part of the continental shelf extending beyond our 200 mile limit. That notion was rejected by the minister, and quite incorrectly so.

● (1945)

The support the minister had from all parties in the House of Commons and from the Newfoundland and Labrador government would have served him in good stead if he had decided to take it. However he chose to ignore that support and it weakened dramatically his efforts or influence at NAFO. That was a sad mistake by the minister.

The government, in making the decisions it did with this closure, failed. It took the advice of the scientists but it failed to take into account the vast knowledge of many of the people and fishermen living in many of the coastal communities of Newfoundland and Labrador and elsewhere had and were prepared to offer to the government.

The FRCC did not make that same mistake. It took the advice of the scientists and then went out and listened to the people. The decisions it made and the conclusions it came to were remarkably different from the conclusions the minister arrived at. Most important, the ban that the minister placed on fishing was not one that was supported by the FRCC.

I, and I am sure other members in the House, support a science-based fishery. I do not think there is any question about that but we also have to look elsewhere. There are other people who have a good handle on what is happening and those are the people who also

manage the fishery. Those are the people who fish, as well. They have something to say because they have seen what has happened.

That is what the FRCC did when it took into account all the information it had that was available to it. It came to the conclusion that the best solution was a small ongoing fishery based on the information the fishery could provide to the scientists on an ongoing basis. Also it was to convince people that there was some hope.

If the fishery is shut down entirely, people will come to the conclusion that after 11 years of a moratorium it is not going anywhere and that the stocks are worse. If it is completely shut it down, it says to them it will continue to go downhill and there is no hope for the future.

The small fishery that was recommended was to serve two purposes primarily. One was to provide some ongoing scientific data. The second was that it would provide some hope to people that the fishery could survive and if the department was prepared to pay attention to the other issues, the fishery could revive.

One of the main issues was the seal predation. This is not something new. It is something the FRCC called for before. It is saying that there are certain spawning areas that must be seal exclusion zones. I heard members opposite laugh at the notion of a seal exclusion zone. They said that we could not put fences in the water or we could not do this or that. I understand that fully but I also know we have to somehow make the effort to ensure the spawning stocks are not preyed upon by the seals.

The kind of action that has to be taken will not be pretty perhaps to many people. We sure are not going to do it by running around trying to neuter seals. We will have to do it the old way and that is to have a cull. That to me, Mr. Speaker, is as plain to me as I am standing here and you are sitting there. The cull is especially needed in the seal exclusion areas about which the FRCC is talking.

The other issue that is most important is the one of seismic testing. Seismic testing is a critical issue and we have not done much in the way of science on that. However work has been done elsewhere and it is fairly conclusive, much of it done in Norway.

● (1950)

DFO scientists have advised the Canada-Nova Scotia Offshore Petroleum Board that seismic shooting kills plankton, including eggs and larva of many fish and shellfish species. The scientists noted that little scientific studies have been done on the spawning areas in Canada. However, they pointed to Norwegian studies on cod which they believed would be applicable to the Gulf of St. Lawrence.

This is what the Canadian scientists told us. They said that cod moved at least 30 kilometres from the air guns that are used during this seismic testing. They noted the abundance in catch rates of cod did not return to levels observed prior to the seismic testing over the five days of observation following the testing.

They said that in other areas fisheries catch rates have been depressed by 50% within tens of kilometres of seismic shooting in certain areas. Similar effects have been reported for cod and the snow crab fisheries on the St. Pierre Bank.

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The scientists noted that the west coast of Cape Breton and the Sydney Bight are key spawning and feeding grounds for cod. They warned again that any impacts from oil and gas exploration will be amplified due to the small, shallow, and closed nature of the environment there and of the high biomass and diversity year round.

This is compelling evidence that we have from Norway and yet it is ignored. It almost brings to mind the department's failure to look internationally for scientific evidence on other matters, including the aquaculture that we have talked about in the House.

Recently, Norwegian fisheries scientists reported in the *Canadian Journal of Fisheries and Aquatic Sciences* that seismic shooting severely affected fish location, local abundance, and catch rates in the entire investigation area. They noted that troll catches of cod and haddock declined as well. They said that abundance of catch rates again did not return to pre-shooting level for five days.

Why is it that the minister is prepared to force fishermen off the water when he is not prepared to take action against this seismic testing? Why is it that he is not prepared to call to account and hold to account this type of testing in these critical areas? Why is it that he is ignoring the advice of the Fisheries Resource Conservation Council?

I find it bothersome and troubling. As I said, the three issues here are that the minister has forced fishermen off the water against the advice of the FRCC. He is ignoring the recommendations and failing to take action now on the seal issue, one that is crying out for need. He is ignoring the advice on the seismic testing.

Without those three components the hope for a recovery is pretty slim. What is needed in this area is leadership. That leadership unfortunately has been lacking in the government for the past 10 years that I have been in this place. That leadership is not evident at the department right now because of this process of bringing managers in from elsewhere, rather than promoting from within the department and demanding excellence in fisheries management and an understanding of the fisheries resource within the department. It is exasperated as well by the minister's failure to take into account the knowledge that is out there about scientific testing.

I hope beyond hope that somehow the government will pay some attention to the debate. I hope that the minister will take another look at the decisions he has made. One of the best premiers that British Columbia ever had was W.A.C. Bennett. Bennett was a strong man and he made good decisions. He was always there and always willing to take a second look. That is what made him a great premier of British Columbia.

• (1955)

I would like to see this fisheries minister be remember as a great fisheries minister. I would like to see him take a second look.

[Translation]

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Thank you, Mr. Speaker. As my hon. friend from Delta—South Richmond said, it is definitely not with great pleasure that I rise here today to speak about the moratorium that has been announced.

As a great and well-known historian said, history repeats itself, but never looks the same. Unfortunately, the impression we are

getting here from the government is that history does repeat itself and looks much the same as before.

We can look and look for the reasons behind the moratorium—because of climate change, as some scientists have said; or because of the never-ending growth of the seal herds; or because of foreign overfishing—it does not change the fact that the real reason we are in this mess today, along with all the fishermen in Gaspé, the Lower North Shore, western Newfoundland and Labrador, is the federal government's mismanagement of the resources.

Let us ask ourselves the question quite simply. If there had been proper management, would we be facing a moratorium today? The answer is no. If the resource had been well managed, we would not have a moratorium today. No one has mentioned resource management since 1990 or 1992, except for imposing the moratorium. You can talk about the resource for 50 years, or 250 years. In Gaspé, as in Newfoundland, it is a 250-year-old tradition that is disappearing today.

There are communities, fish plants, businesses, women and men who are going to find themselves without work because the plants are going to close their doors. These are the people who get sent directly to social assistance. Because, despite official statements, the assistance plan offered to the people is shamefully small, does not meet the real needs of the people, and leads nowhere.

The announcement to the plant workers led, in my view, to a great deal of frustration. It had already been strongly rumoured in November or early December that there would be a total moratorium on cod fishing. I criticized the minister for this and I am going to do so again. At the time, he caused families and workers in the Gaspé Peninsula to panic, a month before the Christmas holidays.

I think that, from that moment on, serious consideration should have been given to developing an assistance plan so that, as soon as a moratorium was announced, we would have been ready to take action and offer assistance to these people.

What I find frustrating about all this, is obviously how badly this resource has been managed. It is obvious. Perhaps the current minister cannot be blamed for this bad management, but perhaps his government can be. There has been a moratorium on cod for ten years, and for ten years people have known that this stock is not being rebuilt. Therein lies my criticism of this government.

Consider what other countries do in similar situations, such as Iceland, for example. Iceland has managed to solve this kind of problem and, today, it has an abundant resource. But how? It is because the Government of Iceland took action when it was needed, even against the UK. Remember when Great Britain threatened to send in its war ships so that fishers in the UK could continue to fish inside Iceland's zone. Thanks to the resolve of its government, Iceland, which is a very small country, managed to protect its resources. It managed to ensure that this resource has prospered, and today people are making a good living off this fishery.

I understand the frustration of people in Newfoundland and Labrador, and I also understand the frustration of people in the riding of my hon. colleague from the North Shore. These people live exclusively off this resource. Entire communities may disappear, and the message they are being sent is "leave". People in the Gaspé Peninsula are being told to leave. About 1,400 people are affected, and some observers say it is 2,000.

● (2000)

They are telling people to leave. People are being told they have no future in the Gaspé, that they have no future in Newfoundland or on the Lower North Shore.

We know perfectly well that the moratorium that has just been declared will not last for only two, three or four years. We know that the resource has not come back since the early 1990s, and that it will probably not come back in the affected zones because of a whole host of factors.

One of the factors people talk about, and I will come back to it, is the ever increasing numbers of seal herds, especially the grey seal. According to some observers, a seal consumes one tonne of fish per year, on average. Do you know what that means when there are five million seals? It means five million tonnes of fish.

When they say five million tonnes, it does not mean five million tonnes of whole fish. As some of our colleagues explained, or maybe they did not have enough time, the seal is a predator. The seal prefers the liver. What does the seal eat? It only eats a very small part of the fish. What do five million seals represent when we are talking about one million pounds? That is a lot more destruction, and a whole lot of destruction when you consider a herd of five million seals.

This is another good example of poor resource management. The seal is a resource that we could have started developing ten years ago. In fact, we could have started harnessing this resource or encouraging certain companies to adapt and move toward processing seal products.

I asked questions in the House about the seal industry. I was told, "Yes, there are markets". There are markets but we cannot make it work, even with quotas of 350,000. Last year, 312,000 seals were harvested. The industry was not encouraged. The federal government had not invested in research and development to develop a valid industry that could have gradually replaced the ground stocks industry, knowing perfectly well that the resource was not coming back.

We have known for the last seven, eight or nine years that the resource is not coming back. There was another resource that we could have harnessed and we did not react accordingly. As for the

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assistance plan now being proposed, we need to consider the option of changing over plants. We need to start processing seal products and to start developing other markets that are different from those that we already have.

As I was saying, I have asked questions of the Minister for International Trade, among others, about why the negotiations, especially those with the Americans, are not getting anywhere. How is it that it is still banned today when there is a seal herd busy destroying the resource in the Gulf of St. Lawrence and off the shores of Newfoundland? How is it that they have not made it an urgent matter to negotiate the opening of a new market with the United States involving seal products, among other things?

The answer we are given is that negotiations are under way. If this is anything like the way things are usually done with international trade, if it is anything like the softwood lumber situation, we can wait a long time and cannot take the outcome for granted. If we depend on the Minister for International Trade to open up new markets in the U.S. we will be waiting a long time. As hon. members can see from that situation, results are a long time coming. Not only a long time, there just are not any results.

I would like to come back to the assistance package being offered. It has a strange resemblance to the plan offered in connection with softwood lumber. It has such a similarity to that situation, where the sawmills continue to shut down. Thousands of jobs have been lost and people have had no assistance. None whatsoever. There is supposedly a program in place for softwood lumber to help the communities but it has not necessarily helped the softwood lumber workers.

What I am calling for when I speak about a true assistance plan—and this is one of the things I have been saying since the moratorium was announced, and even before that, and on which I have asked many questions of the minister in this House—is a plan that will help the people affected by the moratorium. It is a plan that will help the affected workers. These are the ones that need to be helped now. Some in the Gaspé, as some of my colleagues have already pointed out, are already in those gaps as far as EI is concerned. It would have been necessary to extend EI benefits for these people so that they can, even if it takes three, four or five years, get training, change direction, make a decent life for themselves. This would have been important in the assistance plan.

Another important aspect of this aid package would be to provide assistance to the industry, to the businesses.

● (2005)

In our region, when we look at dried, salted fish, several businesses are jeopardized and are at risk of disappearing. We are talking about people who dedicated their whole life to developing these businesses and, all of a sudden, they are told, "You are going to close down; the business will no longer exist, and you will lose everything you have worked for".

I think there is a liability and it rests with the federal government. Everyone recognizes that the federal government has the sole control and management of the resource and that we are in the position we are in today because of its management.

*S. O. 52*

Had I been here in 1992, I would have said the exact same thing. Successive federal governments, regardless of stripe, have all totally mismanaged the fisheries.

One can wonder if the fisheries are important at all to the federal government. Does the government really care about the thousands of jobs at stake? Is it really important that the region and the people in the east can continue to have a decent living? This is not obvious to us in the east.

The resource has been mismanaged for years. For years we have been paying the price. Today, again, in a region where the unemployment rate is over 20%, we are being told, "1,400 jobs will be lost". Do you know what that represents for us? That is roughly the equivalent of 30,000 jobs in Montreal. It would be a catastrophe on a national scale if Montreal were to lose 30,000 jobs, but it is not a national catastrophe because the jobs are only being lost in the Gaspé, along the Lower North Shore and in Newfoundland. That is the difference.

The east has never been given a fair shake by the federal government. This government has never acted intelligently to develop a new economy in our regions.

Here is another example. In 2000, during the election campaign, the Liberals came in and announced a plan to spend some \$30 million, supposedly through Canada Economic Development, to help develop the Gaspé. Do you know what it was for? It was solely for loans and there was almost nothing for business. It was the Government of Quebec, with what little money it had at the time, that contributed.

I am convinced that the government that was just elected in Quebec City will continue to do the same thing. If we want to develop the regions, we have to rely on ourselves alone and not on the government, which only collects taxes from us and gives us nothing back in return.

For another example, take the case of air transportation in our regions. If ever a government has abandoned the regions when it comes to air transportation, it is this government. I could give all kinds of examples: postal services, land transportation, transportation systems in general. How are we supposed to develop a region if it is impossible to have an air transportation system that works properly? This is one of the problems we are currently experiencing.

Again, we are being told that the private sector will develop, but that is not true. Without government intervention in regions like ours, it is absolutely impossible.

I want to come back to the assistance plan announced for us concerning Canada Economic Development. If Canada Economic Development added \$7 million in the Gaspé every year, that would be \$14 million. However, if Canada Economic Development used the same criteria as previously announced, then it is useless.

It is a totally useless assistance plan because, in a region where the economy is in trouble and where the unemployment rate is 22 or 23%, development cannot happen the same way it could in Toronto or in Vancouver. The criteria have to be changed and adapted so that very small businesses can create one, two or three jobs, and slightly larger businesses, small and medium size businesses, can also have

access to the Canada Economic Development program. However, for the time being, the criteria are such that each time or nearly each time a business person submits a project, he or she is told that it does not qualify. I have good examples of that.

Last week, a business from Pointe-à-la-Croix came knocking on the door of the Canada Economic Development office in Gaspé. It was told that its project was stupid, or almost. That is what these people were told, even though their project is very good and is supported by the Quebec government. Among its sponsors is the Liberal member who was just re-elected in the riding of Bonaventure.

The federal government, through Canada Economic Development, told these people that it could not help them with this project. We see that constantly in our regions, particularly in the Gaspé peninsula.

Yet the riding of Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok is well represented by a Liberal member. That should change things, but it does not. Day after day, people will realize that because both he and I are told the same thing each and every time, namely that the projects do not meet the criteria, that they are not good, and so on.

● (2010)

This is what we heard when we went to Newfoundland with the Standing Committee on Fisheries and Oceans not too long ago. There was an assistance program in 1992, but every time a project was submitted, the answer was that it did not meet the criteria. This is what the officials were telling people and, in some areas, the money was not even spent entirely. It is as simple as that. No project by these people could meet the criteria of Economic Development Canada. It is impossible for our regions to do what is done in Montreal, Toronto or Vancouver.

In conclusion, I will say that the seal, among others, has been often targeted, and there are several reasons for that, but the most fundamental reason is the mismanagement by the federal government, its inability to manage the resource. Things have to change, and quickly.

Right now, there is pressure on other resources, for example, crab, lobster and shrimp; further resources are not being developed in an efficient manner. We cannot let the moratorium be extended to other species, because we will find ourselves in the same situation.

I ask the government to undertake, for once, to really manage the resource with a vision for the future. This must not be a vision for a week or a year, but a vision for the future, over a 10, 15 or 20 year period. This is the only way to manage this resource.

[English]

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, first of all, I wish to thank the Speaker of the House of Commons for the opportunity for members of Parliament from all parties to debate what I consider to be a serious issue facing this country today.

I also wish to honour all those firefighters who are here in Ottawa today lobbying on behalf of their members across the country for serious issues. We congratulate them on their lobbying efforts and wish them good luck and Godspeed in the future.

Many people have asked me over the last few days why I do not ask the Minister of Fisheries and Oceans to resign. I do not think that will help in the debate. I happen to like the Minister of Fisheries and Oceans as a human being. He is a decent person and a good family man. I do not blame this entire action on him. I blame it on the federal Department of Fisheries and Oceans and the government for the inaction that it has displayed over the years, especially to the good people in Newfoundland and Labrador. We cannot go forward unless we know where we have been.

I want to honour and commend all the elected officials, the members of Parliament, the MLAs and the municipally elected people of Newfoundland and Labrador for the great work that they have done. I honour those members of Parliament from Newfoundland and Labrador, Liberals and Tories—unfortunately, there are no New Democrats, but we are working on it—for their outspokenness in defending the interests of their people. They should be congratulated and I say that in a non-partisan manner.

In 1949, when Canada had the privilege of joining the province of Newfoundland and Labrador in Confederation, those people in Newfoundland and Labrador gave Canada one of the finest, richest, most plentiful resources in the history of any transfer of one nation to another. It was the fisheries resource.

We should ask ourselves, in the last 54 years have the people in Newfoundland and Labrador been well served by Liberal and Conservative governments on the protection of the fish stock? The answer is an incredible no.

Since 1989 the government and other governments have spent over \$5 billion of Canadian taxpayers' money readjusting the east coast fisheries. Where are we today? We should ask ourselves as taxpayers, are we well served by our tax dollars in this department? This department gets \$1.4 billion of taxpayers' money every year to do one thing and one thing only: to protect the habitat of wild fish and protect the wild fish themselves.

However, on all three coasts and in inland waters it is the most resoundingly disgraceful display of management that I have ever seen. I have been on the fisheries committee since 1997. There have been close to 20 reports handed to the government. The vast majority have been unanimous. It is unbelievable that our 1998 report of the east coast report that was chaired by George Baker of Newfoundland was completely ignored by the government. If action had been taken on those recommendations in 1998, I am sure we would not be here tonight debating the decline of the cod stocks.

In 1973 the then Minister of Fisheries and Oceans, Romeo LeBlanc, cancelled and cut out the fisheries research board. That started the decline of science in our fisheries.

This is where I go to the thrust of my speech. What the minister and his department are doing, knowingly or unknowingly, is dishonest to the people of Canada. If we were to privatize the resource into corporate hands, we should tell the people of Canada and the fishermen and their families exactly what we were doing.

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That started with the 1982 Kirby report when National Sea Products and Fishery Products International were created. That started the corporatization of our fish stocks in this country.

In 1996 we had the Mifflin plan on the west coast. Overnight half the commercial fishermen were gone. Anyone who was in Sointula when we did our west coast reports in 1999 will remember the fishermen in their forties with their families crying before the committee. They were crying with tears in their eyes and asking why the government did that to them. Our only answer was that the government was privatizing a common property resource into the hands of the corporations. Look at the west coast now. One man, Jimmy Paterson, effectively controls over 45% of the salmon stocks on the west coast of Canada.

● (2015)

That is ridiculous and uncalled for, which is why I am really upset with Mr. Crosbie, the former fisheries minister of Canada, who is now in Newfoundland. He says that the only way to solve this problem is through ITQs, individual transferable quotas. That is the privatization of a common property resource that belongs to all Canadians. He wants it to go into the hands of a few so that those very rich multinational corporations can make an awful lot of money off a public resource. How do they do it? They rape and pillage the resource. They give the minister no other option but to cancel out the fishery and get rid of the independent fisherman and his or her family.

They did this to the farm families on the prairies. In 2001, Saskatchewan and Alberta lost 22,000 farm families, independent people who are gone from the industry. But the land is still producing. Companies like Pioneer and Cargill have moved in and taken over. We are moving to a corporatization of our agriculture and now we are doing the exact same thing to the fishermen. That is unacceptable.

All the people in Newfoundland and Labrador and in my province of Nova Scotia, in P.E.I. and in New Brunswick, want to do is fish, look after their families and live in their ancestral homes in their communities of Port au Port, L'Anse aux Meadows, La Scie, Gaultois, Burgeo, Ramea, and it goes on and on. These are historic names in the great province of Newfoundland and Labrador.

What is the response from the federal government? It is "bye-bye, time to go".

In my office I have a picture from Ted Stuckless, a great Newfoundland artist. It is a picture of a guy sitting up in a dory with a make and break engine. He is rolling a cigarette, he has logs in the boat, and he is dragging his home from one end of the bay to the other. At least Joey Smallwood, the former premier, had the courage to tell people he was going to resettle them. This government does not even have the courage to tell Newfoundlanders and Labradorians, "You're going to move, folks". Anyone who does not believe that these people are going to have to move like their brothers, sisters and cousins did in 1992 is sadly mistaken. That is the legacy that this Prime Minister is going to have to wear. That is shameful and it is unacceptable. The people deserve more.

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A lot of people out west where I grew up used to think of Newfoundlanders as the 10-42 club: work 10 weeks and get 42 weeks of EI. I have been to Newfoundland many times and that is not the case at all. These are hard-working people. They are industrious people. I am surrounded by them now. Their representatives are here and they have done a great job representing the people of Newfoundland and Labrador.

What is our response? How are we going to solve it now? Cut out their livelihood. Guess what we are going to do, Mr. Speaker. We are going to give them enough money for a make work project. Why? So they can get EI. And then what, Mr. Speaker? Then what are they going to do? Nothing. These people have been screwed royally by this government and it is unacceptable.

This is for the good people of Newfoundland and Labrador: I understand the frustration they have with the minister for ACOA, the minister of fisheries, the Prime Minister and everybody else, but I ask them, please, I beg of them not to burn the Canadian flag, or any other flag, for that matter. The people of Newfoundland and Labrador gave with their blood in the Battle of Beaumont Hamel, one of the greatest battles of all time. They died under the flag. We have peacekeepers from Newfoundland and Labrador who died under the Canadian flag.

I beg the fishermen, their representatives and the people in Newfoundland and Labrador. I know they are mad. I know they are angry. But I beg them not to take it out on the Canadian flag. There are other ways of doing it and more peaceful means of demonstrating their anger at this government, and we will be there to help. I will not be there by myself. I work on the Standing Committee on Fisheries and Oceans and I am blessed and honoured to be able to work on that committee with such great people from all parties. I have worked with some great members since 1997 and I continue to do so now. It is an honour to work with that committee. That committee will be in St. John's, Newfoundland on May 7. We want to hear the people of Newfoundland and Labrador. We want to hear what we can do to present their concerns and to bring their concerns back to Ottawa. We will not let them down in this fight. We will continue to fight for them. We need to help them out.

● (2020)

Let me move on now to the fact that an all party committee of Newfoundland and Labrador provincial and federal representatives took a great political risk by getting together in a non-partisan manner to come up with recommendations to present to the federal government. I was honoured to hear them. The member for Bonavista—Trinity—Conception was the chair of that committee. The premier of Newfoundland, Mr. Grimes, with the opposition leader, Danny Williams, the leader of the NDP, Jack Harris, and industry representatives came up with what I thought was a very good report.

All the minister had to do was say that if the people who live by the resource, honour the resource, have a reputation on the resource, and live adjacent to the resource thought this was the way to go then he would honour that agreement. But what did the Minister of Fisheries and Oceans do? He literally slapped his own colleagues in the face by ignoring the report, absolutely ignoring it. I find that incomprehensible.

In fact, that was not the only report the minister ignored. The minister stands up and says, "I am for conservation", but he also ignores the Fisheries Resource Conservation Council report. Let me read into the record what the council said. It is a great book. One only has to go page 6 to get the whole thrust of the report. It states:

The Council is unequivocal in stating that for both cod stocks, the urgency of the situation this year means that the "status quo" is no longer appropriate. In its analysis of a complete closure of the Gulf cod stocks, the Council concludes—

This is the minister's council.

—that this too is an unrealistic option that would in no way guarantee stock rebuilding. The difficulty the Council has with such a draconian approach—

I did not say that and the Newfoundland representatives did not say that. The Fisheries Resource Conservation Council said that.

—is that, taken on its own, it does nothing to assure prospects for an immediate, substantial and durable improvement in stock condition. Moreover, there is a view that a closed fishery—and an alienated fishing sector—would actually result in an increase in unreported mortality.

This is exactly what the member for Burin—St. George's said so eloquently. The council continued:

The Council judges this to be a real threat that could inflict continued undetected harm to the resource.

In rejecting the wholesale closure option, the Council acknowledges that only in partnership with fishermen—who must take responsibility themselves for stewardship of the resource—

That is exactly what New Democrats have been saying year after year: that we have to eliminate this top down approach of managing our fish stocks from Ottawa to the water. We must institute a policy of a community based, cooperative, co-management agreement of the fish stocks. The Fisheries Resource Conservation Council says that. This idea is not new.

Mr. Speaker, if you ever have the opportunity to go to a great island off Newfoundland, Fogo Island, you will meet people with a cooperative nature who have co-management of their fisheries resource. That is the shining light and an example of exactly how we should be moving in the direction of management of our fish stocks.

Another example of this is Sambro Fisheries Limited in my home province of Nova Scotia. This is another great example of DFO, the province, the fisheries and the community getting together to work out quotas, enforcement, scientific information, et cetera, and it works. The top down approach is no longer good enough. There are 1,600 people working for DFO at 200 Kent Street and nobody in that department fishes for cod or crab or lobster or caplin in the Rideau Canal. We have to reduce that department in Ottawa and move those people to where the resource is. That will change it around.

One of the major problems we have in fisheries management in Newfoundland and Labrador and around the country is the lack of Coast Guard patrols. Last year I was in St. John's, Newfoundland, and I asked the Coast Guard for Newfoundland and Labrador just how many patrol boats were patrolling the coast of Labrador and Newfoundland at that time. There was one. There were seven vessels altogether and one was patrolling the waters. I asked where it was: in the harbour.



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● (2025)

Where is the enforcement? Where is it? This is unbelievable. We do all these reports and give them to the minister and he shuts them down every single time.

Now I come to the other crux of the matter. The all party committee of fisheries and oceans of the House of Commons did a report on foreign overfishing in the 200 mile limit. Last year, we heard that the Russian vessel *Olga* had 49 metric tonnes of moratorium cod in its hold. It was not allowed to have those fish on its boat. What happened? The ship was sent back to Russia. For what? What was the Russian government going to do to the captain and the fisheries?

I have a document from people within the Department of Fisheries and Oceans. It is a Russian manifest of fish caught before April 8, 2002. This is the type of document I am never privileged to have. There are certain people in DFO who had the courage and the chutzpah to forward this type of information to members of Parliament so we can expose the truth.

My good friend from Burin—St. George's has advised me that the people of Gaultois cannot fish for redfish. Why? Because there is a huge bycatch of cod in that area and they cannot risk it, but this Russian vessel was caught before April 8, 2002, with 269,000 kilograms of redfish. The bycatch of cod was 7,650 kilograms. Also, on the hold of this ship was found 990 kilograms of frozen cod liver. To have that amount of cod liver in a boat, they would have had to catch 66,000 pounds of codfish. That cod is under moratorium. What are they doing with that fish in the hold?

That is one vessel out of the hundreds that are raping and pillaging our oceans. We are the coastal state and we have the responsibility to protect those fish stocks. What does the minister say? He says, "There is not much we can do, folks, we are just going to have to shut out the Newfoundland and Labrador fishermen and get rid of them. We will appease the foreigners and take care of the corporations and tell those hard-working, decent people in Newfoundland and Labrador and Quebec that they cannot have any, that these ships will come into the ports of Newfoundland and Labrador and they will brag about all the fish they catch".

Another thing in regard to these boats was the *Tynda*, operated by Master Vladimir Shakmaev. There were 34,000 kilograms of fish meal in the hold of the ship. There would have to be 580,000 pounds of groundfish to have that much fish meal. None of that groundfish was reported. What type of groundfish was it? We do not know. It could easily have been cod. It could have been haddock, pollock, plaice or turbot.

**An hon. member:** Small cod.

**Mr. Peter Stoffer:** We do not know. It could have been small cod or all kinds of things. We simply do not know. Why do we not know? Because we do not have the guts to stand up to the foreigners and tell them to stop overfishing our stocks.

We have the ability, we have the right and we have the responsibility to protect those fish stocks for all of mankind. All we are asking is that the government emplace custodial management in the fishery. If that is done we will not kick out the foreigners. We

basically will tell them that they can fish but they will fish under Canadian management rules. They will fish and we will check the holds. We will make sure they catch only what they are allowed to catch and then they will leave. If we do that, very clearly we will look after the situation.

As well, there is the situation of seals. It has been brought up many times. In a seal report by the member for Miramichi, who was our chairperson, we said we needed to develop markets for seal products. What is the government going to do? It is going to spend \$6 million to study how seals eat cod. In order to harvest the seals in a sustainable manner in a way such that we can export that great product, we need to develop markets around the world. That would be a wise investment in terms of reducing the seal population. To announce a cull of seals would be disastrous for the rest of the industry.

I do not know what else I can say except that I am very upset by and disappointed with the decision of the minister. He had options. He said it was based on science, but his own scientists say they ran out of money to complete the surveys.

● (2030)

They did not even include catch data from fishermen in his report. Yet he still decided to get rid of it. That only leads me to conclude that they want to eliminate the independent fisherman and his family and turn it over to the corporate sector. If they are going to do that, they might as well have the courage to say so.

In the end, I want to congratulate the people in Newfoundland and Labrador and Quebec for what they are going through and for keeping their heads held high. I can assure everyone on behalf of my party and the colleagues of the Standing Committee on Fisheries and Oceans that we will do what we can to try to convince the minister, his department and the Prime Minister to change their minds, to go back to the people in Newfoundland and Labrador, listen to them and input the policies and regulations that the all party committee had stated we should do. If they do that, it will go a long, great way.

● (2035)

**Mr. Norman Doyle (St. John's East, PC):** Mr. Speaker, I am pleased to say a few words in this debate. I will be sharing my time with the member for St. John's West.

I want to congratulate the member for Sackville—Musquodoboit Valley—Eastern Shore on a great speech. I am absolutely amazed at his knowledge of Newfoundland and Labrador and generally of the fishery.

One of the most discouraging things in speaking in this debate is the fact that no matter what is said here tonight, no matter how many good points are made, and there have been some very good points made, and no matter what happens, at the end of the day I do not believe it is going to make too much difference to the bottom line. When this debate is over this evening the fishery will still be closed, the communities affected will still be threatened and people will still be unemployed.

**Mr. R. John Efford:** Maybe not.

*S. O. 52*

**Mr. Norman Doyle:** The member for Bonavista—Trinity—Conception says maybe not, but I think so. I think the Minister of Fisheries and Oceans is going to stick to his guns. If he had no intention of sticking to his guns, I believe the minister for ACOA would be pounding his chest tonight, threatening and asking the Minister of Fisheries and Oceans to change his mind. The minister has been very quiet, so I believe that the minister of fisheries has made up his mind. The fact that we had this debate tonight is not going to make one bit of difference tomorrow.

I am very disappointed not only with the Minister of Fisheries and Oceans but with the minister for ACOA. Knowing full well the impact that this announcement would have, the minister of fisheries and the minister for ACOA went before the microphones in Newfoundland without a long term plan to place before the people, except the measly \$23 million in make work programs. Those are not my words. The minister for ACOA said it himself to the people in Newfoundland. He was making \$23 million available for make work programs, no long term plan for the fishery of Newfoundland and Labrador.

The member for Bonavista—Trinity—Conception mentioned it this evening. Ever since 1992 when the first moratorium came into effect, there has been no long term plan for the future of the fishery in Newfoundland and Labrador. What do we have? We have \$23 million for make work programs and \$6 million announced for a study on seals. That is absolutely shameful.

To announce a \$6 million study on seals is equivalent to the Chinese water torture for fishermen. How much more study do we need to do on seals in Newfoundland and Labrador before we come to the conclusion that seals are eating too much fish? Surely it does not require \$6 million. It does not require \$6 million to know that back in 1992 there were 2.5 million seals in the waters in and around Newfoundland and today in 2003, 10 years later, there are eight million or nine million seals.

If the fish stocks are still in continual decline, then there has to be a problem with the seals out there. The Grand Banks cod stocks we are told, and I think it was mentioned in the committee hearings that we were at, give testimony to the fact that even though parts of that fishery were closed for a long time, the stock never increased by even one fish. There must be a problem with the sealing population.

What is the long term plan that the Minister of Fisheries and Oceans has for the fishery of Newfoundland and Labrador? DFO has been saying for years that nature is going to look after the problem. Nature will probably look after the problem when every single fish is gone and the seals starve to death. Nature can only look after the problem if a proper balance is maintained. The unfortunate thing is that the balance between the seal population and the cod stocks has been upset over the years by foreign overfishing, most of it totally ignored by the federal government.

● (2040)

With these two factors at play, combined with the fact that Ottawa has little or no interest in the fishery that caters to a small place like Newfoundland and Labrador, we are fighting a losing battle. We are victims of our geography. We are victims of the fact that we have a small population base. We are victims of the fact that we have too few seats in Newfoundland and Labrador.

One can only imagine the kind of chaos that would have been created 10 years ago if the Atlantic region had 100 seats. The federal government would not take long to deal with the seal population explosion. Foreign overfishing and custodial management would be high on the agenda and would maintain a prominent position around the cabinet table. However, we are victims of the fact that we have a small population. We do not have a whole lot of political clout, so the federal government does not have to cater to the people of Newfoundland and Labrador. It does not have to cater to the people of Atlantic Canada.

Is it any wonder that people in Newfoundland and all over the Atlantic region have so little confidence in the federal government, that it is going to represent our interests. It has never represented our interests in the fishery. The cod fishery could be gone forever. There was no long term plan back in 1992 and there is no long term plan for the fishery today. It may never return, and the government still refuses to put its shoulder to the wheel to avert what may very well be the greatest ecological disaster in the history of Canada, probably the history of the world: the complete extinction of the world's greatest fishery resource. That is too bad. I wonder if the people of Canada fully understand or fully believe what is going on here and what has happened since 1992 in particular.

Back in 1949 Newfoundland brought the world's greatest fishery into Canada. We passed the jurisdiction and management of that fishery over to the federal government. Here we are 53 years later. The government is presiding over a disaster of epic proportions.

The government watched without interest as foreigners raped and pillaged the cod stocks in Newfoundland and Labrador. The government watched without interest as the seal herd grew from two and a half million back in 1992 to eight or nine million today, and it did nothing to correct that problem.

As another member before me pointed out, the government ignored the unanimous recommendations of its own fisheries committee on custodial management. It will continue to ignore the recommendations because there is no desire to upset the Europeans. There is no desire to take on NAFO countries who will still continue to pillage and rape fish stocks outside the 200 miles while our fishermen and plants remain idle.

What a sad commentary on our place in Confederation. A once proud nation is what we were prior to 1949. What a sad commentary on the minister representing Newfoundland and Labrador who has done virtually nothing to avert the situation, who has remained silent throughout all the fishery committee meetings on this particular issue and who continues to remain silent.

As a result of the last moratorium back in 1992 Newfoundland lost 70,000 people in 10 years from that small population of a half a million people. We may very well lose another 70,000 in the next 10 years.

● (2045)

Instead of a long term plan, what the minister for ACOA came up with was a great big make work project for the people in Newfoundland and Labrador. That is not serving the interests of the people in Newfoundland and Labrador.

**Mr. Loyola Hearn (St. John's West, PC):** Mr. Speaker, let me thank my colleague from St. John's East for sharing his time with me.

Let me also congratulate the member for Bonavista—Trinity—Conception for asking for and getting this emergency debate at a time when it is crucial to our colleague from Burin—St. George's who also spoke so well in the debate tonight.

Let me also point out that through the debate we have heard from every party in the House. We have heard from the governing party, which started off the debate this evening. We have heard from the official opposition, an Alliance member from British Columbia. We have heard from the Bloc, a member from Quebec. We have heard from the NDP, a member from Nova Scotia. Now we are back to a couple of Newfoundlanders again. Right across the country, across all political spectrums and from government to opposition, we have heard people talking in unison about a fishing industry that has been shut down by a minister without listening to people who could direct him as to how we could deal with a declining resource without having such a negative effect on the people directly and indirectly involved.

We talk about the people in Newfoundland being upset. It was referred to that some people even tore up or burned the Canadian flag, which is something that should never happen. It is not Canada we should be upset with. We should be upset with the present Government of Canada and in particular, the Department of Fisheries and Oceans. On this very issue they are the ones, not the people of Canada, not the politicians of Canada, not even some of the politicians in the governing party, but it is the Minister of Fisheries and Oceans and the government who made the decision against the advice of everyone connected in any way to the fishery.

Five or six months ago, the Minister of Fisheries and Oceans indicated in this very House that he would have to deal with declining stocks in Atlantic Canada. He basically raised an awareness and everyone in the area interested in or affected by the fishery took notice. Nobody blamed the minister for creating the awareness because the minister was not crying wolf. There is a serious situation in relation to groundfish in Atlantic Canada. There is a serious situation in relation to most of the fish stocks in Canada, whether they be in the Great Lakes, in western Canada or in the Atlantic region, because we have not been good stewards of our resource.

If I had more time tonight, I would love to talk about the other resources of our province, from our water power, to our minerals, to our forestry, to especially the biggest, richest fish resource that ever existed in the world which once swam off our coast. It has been pillaged and destroyed with a lot of people benefiting, the least of whom are the Newfoundlanders and Labradorians adjacent to the resource. And we wonder why Newfoundlanders and Labradorians are upset.

When the minister sent up his flares a few months ago, all parties in the province of Newfoundland and Labrador, something that never happened before and might never happen again, got together to say "We have a major problem confronting our province and it is about time we put petty politics aside and dealt with it".

*S. O. 52*

This group, with the help of a lot of knowledgeable people within the industry, from the people in the boats, to the people in the plant, to the people in the science divisions, experienced individuals, unbiased, objective scientists, recommended ways of dealing with it. Make the best of a bad situation was what we had to do. The committee presented the minister with 19 solid recommendations which basically said not to close the fishery, that we have to make sure we keep the people involved.

● (2050)

Scientific advice, properly used and properly focused, would enable the minister to keep the fishery open to some extent. There are other avenues within the fishery. Tonight I do not agree with my colleague from St. John's East and I do not say that very often, but I am the eternal optimist. I think the minister has made a major mistake.

When the minister came to Newfoundland and Labrador and he closed the fishery completely, this is what he offered. He talked about community based economic development assistance, \$25 million for short term job creation. That is less than one-tenth of 1% of the surplus in the EI fund. This is what we use to deal with a problem of this magnitude.

He talks about conservation measures, including the creation of seal exclusion zones. When I asked him yesterday how he will keep seals out of an area, he said he was going to ask them to stay away. St. Francis of Assisi should move over because we have a new person coming up. I will say to the minister that I hope it works. I also say to the minister that it did not go over very well in Newfoundland and Labrador.

The minister also talks about a \$6 million program to expand on current activities, and to evaluate and assess the impact of seals on fish stocks. The investment in science will help us learn more about the relationship between seals and fish.

The minister does not have to spend \$6 million to learn about the relationship between seals and fish. Morrissey Johnson once said that they do not eat turnips. Seals live in the ocean. They eat fish. With the imbalance that is there now, when we have a million seals, we have a biomass of cod that was 100 times greater than it is now. We are down to 1% of our biomass. As the member for Bonavista—Trinity—Conception so rightly said tonight, the seals have grown eight-fold. A person does not have to be a scientist to figure that one out and it does not take \$6 million. Many people in Newfoundland would give the minister the answer on that one for a lot less than \$6 million.

The other point I want to raise concerns the background because it circulated across Canada for people to read about why we closed the fishery. The minister talks about why the cod stocks have not recovered. He talks about changes in the environment. He talks about fish growth and survival. He talks about reproduction and he talks about Newfoundlanders not being good stewards in the past.

The minister does not talk about the effect of seals. He does not talk at all and never once mentioned foreign overfishing. Again he said that it might not affect the gulf. Perhaps it does not. It certainly affects 2J3KL.

*S. O. 52*

The department must get its act together. The recommendations made by the all party committee, and made publicly and privately by Newfoundlanders and Labradorians to him and by others across the country who are aware of this whole situation, show the minister clearly how the fishery can be kept open, and how people can be kept involved. There are other resources that can be reallocated. There are species that we have not had a chance to develop because we did not have the money.

If the government is willing to pay people to move rocks, why not pay them to do some scientific research and do some work on underutilized species or new species. Who will do the scientific research on seals? Who will ensure that we have seal exclusion zones? The fishermen of Newfoundland and Labrador can do it.

Let me say to the minister who will probably speak soon that perhaps a lesson has been learned. Perhaps it can be seen from the reaction of the people of Newfoundland and Labrador against Canada. I say to my friends at home that it is not the Canadians who are doing this. It is a government. It is a minister of fisheries. Let us focus our attention on him.

• (2055)

If everybody else is wrong then there is something wrong with the system. My Johnny is the only one in step, but in this case the minister is out of step so perhaps he will listen, use the advice given him, and perhaps we can find the way to ensure we start rebuilding our resource. Yes, we have to be responsible, but surely we can do it collectively by keeping people involved instead of taking them out and letting everybody else destroy a resource.

**The Acting Speaker (Mr. Bélair):** I wish to remind my colleagues to address their comments to the Chair and not directly to the minister, or to any other member for that matter.

[*Translation*]

The Minister of Fisheries and Oceans.

**Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I wish to inform you that I will be sharing my speaking time with the hon. Minister of State responsible for the Atlantic Canada Opportunities Agency.

[*English*]

I wish congratulate the member for Bonavista—Trinity—Conception for asking that we have this debate and discussion. I think it is very important that we do so. It is also a pleasure to follow the member for St. John's West. We do not always agree. We have had many intelligent debates, both inside and outside the House.

**An hon. member:** That's hard to believe.

**Hon. Robert Thibault:** They will continue. We are getting editorial comment from the backbench.

I have one thing I would like to correct. The member indicated that I did not consult and that I did not have discussions with the people most affected. He should know that I had discussions with the ministers of fisheries of all provinces concerned on many occasions on this matter, that I discussed this with the minister of fisheries from his home province of Newfoundland and Labrador which is the most affected on December 2; February 19, 20, 21; March 11, 17; and

April 28, and on a number of occasions with the FFAW and FANL of Newfoundland and Labrador. So, there has been a full discussion.

I knew that my decision to close all fish activity for northern cod in the gulf stocks of the northern and southern Gulf of St. Lawrence would spark a range of opinions both for and against. But I was convinced, and remained convinced, that it was the right thing to do.

In making this difficult decision I took into full consideration the impacts that such a move would have. I come from a coastal community myself and I know the important economic benefits that spring from a strong fishery. I fully appreciate the importance these cod stocks hold for many communities in Atlantic Canada, particularly in Newfoundland, Labrador and Quebec. However, scientific data paints a grim picture of the future of these stocks if fishing continues.

[*Translation*]

For all three stocks, abundance and the number of spawning adults is low and declining. To compound the difficulty, high mortality and low production of juveniles is slowing growth of the adult population. All three of these stocks are below the levels where the harm is serious.

This trend will be very hard to reverse, even with the closure I have announced. Past experience has taught us how dangerous it is to ignore this advice.

The moratorium of the 1990s is a harsh and unpleasant reminder of the price one has to pay for ignoring scientific data, succumbing to the temptation of taking a short term view and not putting conservation first.

I know that the hon. members from both sides of this House remember the impact of this moratorium on the lives of those affected. I do too.

As the minister responsible, I will not allow this to happen again. Last week, as difficult as it was, in the interest of conservation and the future of our coastal communities, I announced the closure of recreational and commercial fishing on cod.

• (2100)

[*English*]

To the communities affected, I am sure everyone in the House tonight extends their sincere sympathies and the best hopes for the future, but I am confident that Canadians understand that this difficult decision stems from my unshakeable commitment to my most fundamental responsibility as Minister of Fisheries and Oceans: to conserve our fish for the future.

Closing the fishery is a necessary first step on the long road to rebuilding these stocks, but, by itself, closing the fishery will not bring the cod back. It is one part of a comprehensive rebuilding package that I announced last week.

I would like to point out that many of the ideas stem from recommendations made to me by a number of dedicated groups: the Newfoundland and Labrador Federal and Provincial All-Party Committee, the Fisheries Resource Conservation Council, le Groupe de travail sur le poisson de fond du Québec, and the Eminent Panel on Seals.

I would like to extend my sincere thanks to each group for their hard work and determination to find the best ways to rebuild this important stock in the future.

One of the most important issues that has been raised with respect to the recovery of these stocks is the impact that seals have on the population. Earlier this year I announced a new, flexible, multi-year management plan for seals which increased the total allowable catch on harp seals and provided economic benefits to Canadian sealers.

In addition to these management measures, I announced that we will be implementing a two year \$6 million program to advance our understanding of the complex interaction between seals and cod stocks. This investment will help us learn more about the relationship between predators and prey, and how to manage this relationship. It will also help us to create seal exclusion zones in selected areas of Atlantic Canada. These areas will be selected to test seal explosion and control methods. DFO will work with provincial governments and the fishing industry to identify the boundaries of the areas as soon as possible.

A number of groups also recommended to me that in areas where the commercial fishery is closed the recreational fishery should also be closed. I agree, and for this reason decided that there would be no direct recreational fishery on cod in the Gulf of St. Lawrence or to the east of Newfoundland and Labrador.

[Translation]

In addition, special conservation measures are required in the Hawke Channel and the Bonavista Corridor to protect spawning and juvenile concentrations of cod and their habitat.

The area currently closed to trawling in the Hawke Channel will be expanded, and a new closed area will be created in the Bonavista Corridor. We will consult with the industry to decide the specifics of how this will be implemented.

The link between capelin and cod is not clear. However, I think it is clear that cod depend on capelin for food. For this reason, I am announcing a 40% reduction in the total allowable catch of capelin.

And finally, we are committed to maintaining a sentinel fishery in these areas. This will ensure that fishermen will continue to be actively involved in collecting essential information on the cod stocks on which they and their communities rely.

[English]

Taken together these actions will help us to monitor these cod stocks and facilitate their rebuilding. They will help us to ensure a brighter future, both for the cod stocks and the communities that rely on them.

Conservation is an investment in the future. I am confident that Canadians understand the importance of learning from past lessons and putting conservation in the future of our proud fishing communities first. As minister, my responsibility on this issue is to conserve Canada's fisheries and ensure that future generations are able to benefit from them. For the sake of the fish and for the sake of the coastal communities that rely on them, taking the steps I have outlined today is the right thing to do.

S. O. 52

● (2105)

**Hon. Gerry Byrne (Minister of State (Atlantic Canada Opportunities Agency), Lib.):** Mr. Speaker, I will begin by saying that this is an extremely difficult issue with which everyone is involved.

**Mr. Lawrence O'Brien:** Did you hear what he said to me? He told me to f-off.

**An hon. member:** I did not.

**Mr. Lawrence O'Brien:** Yes you did.

**Hon. Gerry Byrne:** Mr. Speaker, we have a discussion behind the curtains that probably should be left behind the curtains.

**Mr. Lawrence O'Brien:** This is inside the curtains.

**Hon. Gerry Byrne:** I feel it is important for everyone to express their points of view, which is really why we are here tonight.

I congratulate the member for Bonavista—Trinity—Conception for calling for this debate in the House of Commons tonight on what is a most important issue.

It goes without saying that none of us here tonight, nowhere in Newfoundland and Labrador, nowhere in Atlantic Canada, nowhere in Canada does anyone want to close any fishery, but of course the decision has been made and conservation is paramount.

My responsibility working with the Minister of Fisheries and Oceans is to ensure that there is a long term economic plan, a plan in place to support not only communities but individuals, and to make sure that plan responds to their needs. I intend to make sure that plan is enacted and enacted well. I am absolutely and steadfastly committed to that. I guarantee that it will be done.

One of the things we can do and we can do very well in Newfoundland and Labrador is invest in aquaculture. Economic activity in aquaculture has expanded greatly in my home province. For example, in 1992 the total value of aquaculture production in the province was just over \$1 million. In recent years that production has expanded to over \$20 million in value. That production occurs in rural coastal Newfoundland and Labrador.

We also have huge opportunities throughout the entire region but if tonight I concentrate somewhat on Newfoundland and Labrador it is because that is where some of the major impacts are occurring. However I know that we can take the technology, the research and the developments, expand that which has occurred in other areas of the country and make sure that it fits very well throughout the entire Atlantic region.

It can be done. Those who say that rural Newfoundland and Labrador is not strong and vibrant do not truly understand what rural Newfoundland and Labrador is all about. It is incredibly strong. We need to make it stronger and we will do that by some strategic investments in its future.

One of the reasons we invested \$25 billion in the immediate term, \$30 million in Atlantic Canada and \$14 million in Quebec for a total of \$44 million in immediate income support and replacement, is because there is a definite need and it needed to be done. It is the right thing to do.

*S. O. 52*

I did not take any particular satisfaction in having to do that. I for one would love to have people fishing cod but it is not possible at this time. Therefore we stepped in with immediate assistance. We will be able to provide some assistance on projects that are needed and that have been asked for on several occasions.

For example, we can develop things like marinas but, most important, we can invest in rural communities in their true strengths, such as aquaculture, a suggestion that was brought to the floor of the House of Commons tonight and one which I took very seriously. Maybe there is an opportunity to invest in science activities by fishermen. I think that was a very credible and responsible suggestion made tonight by a member opposite and I intend to take him up on that challenge. It is a very good one.

One of the things I have learned in this business, in the House and in the art of representing people, is that if we separate from each other, if we simply draw partisan lines and seize political opportunity for the sake of seizing political opportunity, we are not serving the people we represent. That was one of the reasons I welcomed the debate tonight. I wanted to seize opportunities and ideas and put them into action.

However we also have to understand that we will not always agree. However we should absolutely guarantee that we will always try. When we come forward with ideas and plans, we must always respect the fact that there will be divergences of opinions but that at the end of the day there are people out there who need our assistance and who are depending upon us as we depend upon them. They deserve our utmost attention to their needs.

• (2110)

While this is a very difficult time for each and every one of us, I am here tonight to say to the people of Atlantic Canada, to Quebec and to my home province of Newfoundland and Labrador that I will not drop the ball and I will not be distracted. I know there are important jobs to do and that is why I am absolutely steadfast in making sure they are done. We will continue on.

It has been remarked here tonight that there was no specific, rigid criteria for the long term plan. It is because I will go forward. I will consult with stakeholders and make sure their ideas and their input are heard. Then we will quickly invest in rural Newfoundland and Labrador.

We will take that long term economic vision and we will invest in areas that are strategic elements and of strategic importance for those communities. In the process we will assist individuals, those who are most impacted by the closure of the cod.

With that, I will go forward. The reason we need to work together is that there is a lot of work to do. However I take some comfort in the fact that while others have tried occasionally to seize political advantage, I am surrounded by members on both sides of the House who have realized that the job we have before us is larger than any one of us. We cannot promote division. We must promote solidarity. While we have differing opinions it is very clear that we have one objective and that is the support of people.

We will go forward here tonight and in the future to make sure our coastal communities in eastern Canada are stronger and better, even under difficult circumstances. It is very easy to represent people in

great times and in good times but the test and challenge of leadership comes with our representation in difficult times. We are all, as members of Parliament, up to that challenge.

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, I am very pleased to speak in the debate tonight on a very difficult issue. It brings me back fondly to my times on the fisheries committee when I was first elected as a member of Parliament in 1997.

The minister stood in the House yesterday and said to one member that we should not blame the seals. He said that fixed gear users blame the mobile gear users. He said that we all blame the foreign overfishing. The minister would have us indulge in a time honoured political trick: the blame game.

All this blame can get pretty complicated. Let me simplify it for the minister.

There is one place where blame can be attributed and that is to the government, and I will explain why. However, specifically the government is responsible and it must be held accountable.

As I sat here listening to the minister I heard him say that conservation was his guiding principle. Let me ask him why in November 2002 he lifted a 10 year moratorium on dragging cod stocks on the edge of the gulf off Cape Breton? It is an area the fishermen know very well as 4VN. Why did he allow the dragging of the ocean floor? One has to question the sincerity of his speech.

Let us go into a few specific issues for which I think we should be holding him accountable. Let us talk about the foreign fisheries. It is this government that curries favour with foreign fleets instead of expelling them from our territorial waters.

As the fisheries critic in 1998, I was part of an all party committee that recommended the immediate withdrawal of all turbot quotas assigned to foreign nations. It was the first recommendation in the report. The minister of fisheries at the time, now the Minister of the Environment, dismissed the recommendation on the grounds that it might make waves with our European neighbours.

Instead, the government extended the policy that allowed foreign fleets to continue fishing turbot inside our territorial waters so long as they were processed in Canadian plants. This was like robbing Peter to pay Paul. It simply is not sustainable in the long term.

Let us go on to another issue that is very troubling to me, the seals. It was this government in 1999 that stated there simply was not enough hard science to justify the culling of a seal herd that was hurting the recovery of cod stocks. I heard the minister today talk about spending \$6 million on a study to see if seals eat cod.

I do not know where the minister has been but one just has to travel out to Atlantic Canada, as I have done with many of my colleagues. The former member for Gander—Grand Falls, who is now in the other chamber, took me around and showed me where the seals would bite the belly of the cod and leave the rest on the ocean floor. They were feet deep in places in the underwater video.

Fishermen have known for years that seals are a threat to cod stocks. Six to eight million seals on the east coast eat a combined six to eight million tonnes of fish per year. At its height, the largest commercial fishery in Canada's history, including all species, was only 1.7 million tonnes in 1987. Imagine that, seals eat four times the amount of the largest fishery we have ever had.

Years later the government finally acknowledged the seal issue, but seal exclusion zones? I have yet to see the details. Even the minister speaking tonight said that we had to work with the provinces to set up the area of the seal exclusion zone.

In short, will he allow a cull? Is that what he is going to do to reduce the seal herd population dramatically, down to possibly two or three million seals from its current population of eight million? What about the agencies that will stand and claim that we are killing baby seals? Nothing will be further from the truth. The bottom line is that the seal population is wildly out of control and something needs to be done. The cod stocks will never recover unless something is done.

I talked about the \$6 million to do a study. I think the time for studies is over. It is time to address the problem. If we did not have enough hard science back in 1998 why are we still going in circles five years later? This question has to be answered.

● (2115)

Today in question period I asked the minister how he planned to enforce the seal exclusion zones. As I said, it does not take a scientist to know that seals are good swimmers. It does not take a scientist to figure out that seals eat cod. The government needs to give us the details about the seal exclusion zones.

Is it going to allow a cull? That is wise if we can get the herd down to a manageable size. History shows that it is wildly out of control now. I do not want to see it happen but I think it is the only solution when there is a herd population of eight million and when it is clear that a sustainable level is somewhere in the range of two million or three million. Those are the numbers put out by all kinds of different scientific experts.

Let me go on to the TAGS 1 and TAGS II, the Atlantic groundfish strategy 1 and II. TAGS 1 was started under the Mulroney government, I believe, and TAGS 2 under this administration. It is also this government that has botched and mismanaged successive bailout packages affected by the collapse of the cod.

The Atlantic groundfish strategy was a five year, \$1.9 billion program aimed at reducing the number of dependent fishermen from 30,000 to 7,000. I may have been mistaken. It looks as though the Atlantic groundfish strategy may have come in 1994 which would bring it under this government not under the former Mulroney government. I thought it was 1992.

This government allocated \$300 million to a licensed buyback but later moved \$200 million out of the buyback into income support. In 1997 the Auditor General observed the following regarding the TAGS program:

After spending over \$3 billion of new and reallocated funds to support the industry, including \$1.9 billion under The Atlantic Groundfish Strategy, the problems in the groundfish fishery remain.

*S. O. 52*

The point I am trying to make is we spent \$3 billion on the Atlantic groundfish strategy. I have yet to find one fishermen who can tell me that he is better off the day the program ended than the day it started. It was a complete and utter failure. I am not suggesting that we should not be investing money but paying fishermen to sit at home and wait for the fish stocks to come back simply will not work.

Could we have put it into other species? Could we have looked at other areas? Could we have invested it so that there was sustainable employment for these families? This was clearly a failure. Again one simply has to speak to the fishermen. If after five years when they were worse off the last day of the program than they were the first day, it clearly was an utter failure.

The government has never tried to allow an environment in Atlantic Canada that would generate self-sufficiency for struggling fishing communities. I met many people when I travelled with the fishery committee in 1997. I had an opportunity to speak to a lot of people not only in Newfoundland but throughout the Maritimes, Atlantic Canada and into Labrador. These are hard-working people who want to be out on the water and who want to provide for their families. A lot of them said that the day they started paying income tax again would be a day they would celebrate because they were earning a living. They would be above the threshold where they would have to pay income tax. These are good people but the management of the fishery has failed them for years and years.

Let me conclude. Who is to blame for the collapse of the east coast cod fishery? There is a whole host of reasons but I think the government has to take the larger share of the blame. That is because it did not act. We saw politics being played, elections being called and that was simply not acceptable. I do not believe it based its decisions on good, sound science.

I am not an expert but listening to the people in the scientific community and reading their reports without question has demonstrated that the size of the seal herd is at least double to what can be sustained for the cod fishery. Nothing has ever been done because it is not politically correct. I admit it is a huge environmental challenge.

● (2120)

When I was in London, I went past an electronic billboard depicting a baby seal with someone putting a hand-pick into its forehead. As the blood was dripping down its little white baby coat, the Canadian flag was flying. This is a huge fundraising campaign for some of these environmental groups. The killing of baby seals has been outlawed for years in this country but it is such an emotional issue that it raises millions of dollars for these organizations.

S. O. 52

It is time to put science first. We have to recognize the needs of fishermen. The answer is to close the fishery entirely and hide behind a series of half measures? We are told that the minister's own advisory council on fisheries did not recommend a complete closure. I question who is pulling the strings and who is calling the shots.

In closing, I would like to speak of profound sympathy for the cod fishermen of Atlantic Canada. They are a true part of Canada's history and could be a vibrant part of our future. I know they are not looking for sympathy or pity. They are looking for a government that will make sound decisions. They have never asked for more than to practise their trade. I believe that despite this, successive governments have failed them over the past 20 years. It is time to take the politics out of the fishery.

I have listened to the member for Delta—South Richmond in the House. There is a man with conviction who passionately believes he is doing the right thing when he fights these fisheries files. He will go to the wall. He takes on his own colleagues because he believes he is doing the right thing with conviction. We need that type of commitment and dedication on this file. We will work with the government. There is a part of me that wants to get back on the fisheries committee and work with members from all the parties to move forward with this file.

I will close to allow time for other members to speak. Just before there is a band named the Great Big Sea that comes from Newfoundland with a song entitled *The Fisherman's Lament*. Of course there are a few words I will have to leave out because, while not being inappropriate, they are definitely unparliamentary. This song was released in May 1997, which was just a month before I was first elected to this Chamber. The sentiments in this song are as true today as they were six years ago. I want to know when the government will finally listen. A few of my colleagues may be able to sing this but I sure cannot. I will say the verses here and I will have to edit a few words out. It reads:

My father is gone now, and the fish are gone too,  
Abused and mismanaged, oh what can we do?  
I'm too old to change, but what of my sons,  
How will they know that we weren't the ones?  
DFO regulations permitted the rape  
Of our beautiful ocean, from headland to cape  
They brought in big trollers, they tore up our twine  
Politicians don't care for what's yours or what's mine!

You brave Newfoundlanders, now listen to me  
Shove the package to...go back to the sea  
If we don't stand our ground, we will fade away  
And the bones of our fathers will turn into clay  
And I spent my whole life, out there on the sea  
Some government...now takes it from me  
It's not just the fish, they've taken my pride  
I feel so ashamed that I just want to die.

● (2125)

**Hon. Charles Caccia (Davenport, Lib.):** Madam Speaker, the member for Bonavista—Trinity—Conception deserves to be congratulated for putting forward this motion. In his concluding remarks, he made the observation that all we have to do is to manage the fish right. I think that is what this is all about. The question is this. How do we find the way of managing the fish right? I suppose that is what this debate is all about.

I would like to devote a few minutes to a few different items, the first one being the Icelandic cod fish.

Why is the Icelandic cod fishery doing well? Why is it that, according to Icelandic statistics, the catch for the year 2002 is expected to amount to 215,000 tonnes and the catch for the current year is expected to be 212,000 tonnes? This is a remarkable achievement.

Yet Iceland is, as we know, in the middle of the Atlantic. It is surrounded by international waters. It has problems therefore of the exclusive economic zone. It has everything against it in the management of its resources because of its geographic location. The question we could ask ourselves is, why is the Icelandic cod fishery doing so well and why are we now reduced to the situation as announced by the minister?

I can appreciate that the member for Bonavista—Trinity—Conception and the member for Burin—St. George's are opposed to the fishery. That is a natural political reaction. However it is obvious that the minister has no alternative to reduce the catch to 3,500 tonnes, as it has been suggested by the member for Burin—St. George's. It is just a short term solution but it does not go to the root of the question, namely, how do we rebuild the stock because this is what we all want to achieve.

It is therefore necessary to put the question as to why is the Icelandic cod fishery doing reasonably well and maintaining its level.

Keep in mind that throughout the 1970s the cod fisheries of Newfoundland and Labrador, according to Statistics Canada, generated a catch in the range of some 600,000 tonnes per year, with a prevalence of foreign fleets. In the 1980s the catch declined and went down to 250,000 tonnes per year and the prevalent fleets became Canadian in the 1980s.

Iceland finds itself now slightly below the yearly catch that we had throughout the 1980s, until the moratorium of 1992.

Unfortunately this debate does not allow for questions but I would like to know the answer from the member for Sackville—Musquodoboit Valley—Eastern Shore. Why can we not manage the fisheries the same way the Icelandic community does? There must be an answer. The member has been around here since 1997 but in his speech tonight he did not provide one answer to that question. He gave us a tirade, he went after every minister under the sun, he congratulated the Newfoundland population but he did not come forward with any specific recommendation. He did not even—

**Mr. Peter Stoffer:** Point of order, Madam Speaker.

**Hon. Charles Caccia:** There is no point of order, Madam Speaker. This is debate.

● (2130)

**The Acting Speaker (Ms. Bakopanos):** If the member will allow the Chair to explain to the hon. members, there are no points of orders, there are no dilatory interventions or anything else during this part of the debate. I would appreciate if the hon. member, and I will not name him, allows the same courtesy to the hon. member for Davenport that was shown to him during his speech. Thank you.



*S. O. 52*

**Hon. Charles Caccia:** Madam Speaker, it is relevant to raise the issue of the Icelandic cod fishery and to ask ourselves these questions. If other jurisdictions manage their cod fishery on a sustainable basis as the Icelandic community seems to be able to do it, then it is legitimate to ask ourselves why can we not achieve the same. I do not know the answer but I think that in the course of my presentation I may come across some partial answers at least.

This leads me to my second point which has to do with the predictions. This debate takes place in an understandable political milieu, in an understandable political atmosphere, but the predictions that have been made have been with us for decades actually. The history of human exploitation of the fishery over the decades and over the centuries is not a very happy one.

**Mr. Lawrence O'Brien:** Seals, Charles, seals. Tell us about seals.

**Hon. Charles Caccia:** Madam Speaker, may I remind my colleagues as to what happened for instance to the exploitation of the herring in the North Sea or to the exploitation of the Peruvian anchoveta which has completely disappeared. Human exploitation tends to be overdone over time to the point of eliminating some species from the face of the Earth.

It is important to recall what was reported in the Canadian media a year and a half ago on the occasion of a convention of the American Association for the Advancement of Science which was held in Boston in February 2002. Daniel Pauly of the University of British Columbia said that over the past 50 years the catch of popular species such as cod, haddock, flounder, tuna and hake has halved although the fishing fleet has tripled. There is evidently a problem being identified by Dr. Pauly, namely that the fishing fleets are increasing the potential considerably.

Having made the observation that we need fish to make fish, he noted that the only way to save the east coast fishery was to introduce a number of sweeping measures including a substantial reduction of fishing fleets, the abolition of subsidies to industrial fisheries and the establishment of a network of large no take marine reserves.

Reg Watson, another UBC researcher, was quoted as saying that the collapse of the North Atlantic fishery is having a ripple effect around the world. He noted that the large fish now found in markets in Canada and the United States come from West Africa and Southeast Asia and they will soon be facing problems similar to those of the east coast. Dr. Watson is quoted as saying that we are paying other fishers in other oceans to grind down their marine ecosystems for our consumption. This is a serious concern for global food security. This is another important observation.

An intervention by a Dr. Peter Tyedmers of Dalhousie University in Halifax also must be of interest to my colleague across the aisle. He said that an economic analysis conducted as part of a project revealed that almost \$2.5 billion U.S. in taxpayers' money is spent each year subsidizing north Atlantic fishing fleets. Of that, Canada spends something like \$520 million.

Dr. Rosenberg, the dean of fisheries science at the University of New Hampshire said that the study he conducted demonstrated "a fishery by fishery approach does not work and that such government policies have probably exacerbated the crisis". The solution does not

seem to be at least according to this scientist a fishery by fishery approach. He went on to say "You can't fix this problem one fishery at a time because—

**Mr. Lawrence O'Brien:** We are debating the fishery, not statistics.

• (2135)

**Hon. Charles Caccia:** Madam Speaker, I wonder if we could have some order on the backbenches over there.

**The Acting Speaker (Ms. Bakopanos):** I thank the hon. member for bringing that to the attention of the Chair. It is true that the Chair has a lot of difficulty hearing the speeches when there are other discussions going on. Voices do carry all the way to the Chair and the microphones. It is very difficult for the Chair to hear the hon. member for Davenport.

**Hon. Charles Caccia:** Madam Speaker, Dr. Rosenberg went on to say:

You can't fix this problem one fishery at a time, because the boats just move around; the effort simply shifts to somewhere else and makes the problems worse.

At the same convention of the American Association for the Advancement of Science, Charles Birkeland, a fisheries researcher at the University of Hawaii was quoted as saying:

For most of human history, fish and other marine species had naturally protected areas; places too remote, too deep or too dangerous to fish, but technology is ensuring there are no havens.

We are pushing fisheries off the edge of viability, and species to the edge of extinction.

In my estimate these are very revealing and important observations. They indicate to us that the scientific community has been giving signals to the political sector at many levels and in many instances. The debate today is part of a continuum that started decades ago.

My third point has to do briefly with an item that has already been touched upon by many who have spoken here tonight. There have been major federal initiatives in the fishing industry in the past decade. In 1990 there was the Atlantic fisheries adjustment program, AFAP. In 1992 there was the northern cod adjustment and recovery program, NCARP. Shortly after there was the Atlantic groundfish adjustment program, AGAP. After that there was another program which has been mentioned here tonight; the TAGS program was introduced in May 1994 and was a five year comprehensive program. In June 1998 there was the fishery restructuring and adjustment measures for the Atlantic groundfish industry, also known as the Canadian fisheries adjustment and restructuring plan, amounting to \$730 million.

I agree with my colleagues who spoke earlier about the outcome of these particular investments. There seems to be a short term capacity to make plans but not a long term capacity to develop a coherent system of policies whereby the problem is tackled for the long term in a manner that would give desirable results.

*S. O. 52*

I am not so sure whether my comment is fair because it is natural that governments want to be re-elected. The term at the most is five years. Governments by nature politically tend to make decisions from one term to the next. This may explain why we have this series of programs every three or four years. It is probably why we are having this debate today. We have been told there will be an election this year in the province of Newfoundland. Political pressures come and go and do not contribute much to a coherent discussion of the problem at hand. Everyone agrees that the fisheries does not lend itself to short term solutions. There is no doubt about that.

My fourth point is, this being a typical, classical issue of sustainable development, one has to examine it in terms of the long term and in terms of a capital, being the fishery, that can be exploited only to the extent at which it can produce interest. The harvest is the interest. When more fish are caught than the capacity of the resource to produce, namely more than the interest, then the capital is attacked, the resource is eroded and gradually it is whittled away.

● (2140)

This is what is evidently happening with an increasing global population which is now supposed to go from six billion to nine billion in the next four years. Obviously the pressure on this resource becomes stronger and stronger. The technology of the fleet is skyrocketing. The capacity of governments to regulate the catch is not there yet evidently. We have not ratified the law of the sea which will be my next point.

There is a convergence of negative factors which makes the management of this issue particularly difficult. This brings me to my fifth point which is the ecological approach to fisheries management.

A very thoughtful study was produced by the Conservation Council of New Brunswick a couple of years ago. It is authored by Janice Harvey and David Coon. They examined fisheries management and proposed an approach that would be a departure from the present one, which is a fisheries management that relies on numbers for targeted species and can often lead to a wrong conclusion and wrong recommendations.

I will quote briefly the main guideline for this particular approach as put forward by resource economist James Wilson together with biologist Lloyd Dickie. They describe an ecological management approach to fisheries.

[An] ecological management approach puts emphasis on the relationship between management rules and the parameters that control the level of production of the system. In "assessments" of fisheries, the parameters of a system are generally those factors that are considered as constants. They are the basic fertility of the system, the competitors, predators and prey resources in the fish community, and the physical environment in which it operates. If the parameters change, the whole dynamic system has to be reinterpreted.

There is a lot of truth in that observation. It is not something that can be examined in this context in this chamber tonight. However, it is an observation that we should take seriously, together with that of wildlife biologists Reed Noss and Allen Cooperrider who said the following about natural resource management:

Management is positive if it serves to protect biodiversity from harm or helps restore an ecosystem previously damaged. It is neutral if it essentially mimics or substitutes for natural disturbance-recovery processes (a theoretical possibility, though not yet convincingly demonstrated anywhere). But management is negative if it contributes directly or indirectly to biotic impoverishment. A proper philosophy for management.

What we are facing here obviously is a biotic impoverishment in very compressed and condensed terms. It seems to me that the crisis in the fishery which has been with us for some time, requires a new approach. It might be possible that the ecological approach proposed by the New Brunswick Conservation Council is one that should be given attention.

● (2145)

Let me make a brief pitch for Canada's ratification of the law of the sea. If we were to ratify the law of the sea, article 61(2) of the convention would help us considerably in being active in the protection of our resources in the exclusive international economic zone out there which has been the object of some heated debate here tonight as well.

[*Translation*]

**Mr. Ghislain Fournier (Manicouagan, BQ):** Madam Speaker, I am pleased to have the opportunity to speak on a subject of such great importance to the region I represent, the subject of fisheries.

There is a great sense of urgency to this debate on the fishery situation, for many fishermen on the North Shore. For many families in my riding, especially those living between Kegaska and Blanc-Sablon on the Lower North Shore, it is a matter of absolute necessity, a question of survival. The family income comes only from fishing. A real solution must be found.

The Department of Fisheries and Oceans has just announced its management plan for next season: a complete moratorium on cod and cuts of up to 100% in crab fishing in certain areas. Does the federal government realize, as it makes its announcements, that all these fishermen have no other income? Is the Minister of Fisheries and Oceans aware that behind the banks of fish, he is managing the economy of an entire region, and many of its residents and taxpayers? Although I understand the situation and the crisis, I am asking myself some very serious questions.

For the department, the need for rapid and effective intervention, especially the latter, is very clear, otherwise this debate would not be taking place. Even the fisheries minister's own constituents are so disturbed, dissatisfied and worried about the situation, about the offers they are receiving, that they are threatening to fish despite the bans. Would they be wrong, looking at the resource, since the fish stocks are in danger of extinction? With their livelihood at stake, who could blame them?

Two things are clear. The moratorium on cod, while it is necessary, is also unacceptable. The need to save the species is unanimously approved, but that does not in any way attenuate the socio-economic effects and impacts. What is even more unacceptable is the government's inertia in this issue, which was just as obvious last fall as it is now. Last fishing season's catches on the Atlantic coast were sufficient to predict the present crisis.

But the minister did nothing. In other words, he let the fire smoulder on, and when it finally burst into flame, he yelled, "Fire". But it was too late. Now it is a fire that has to be put out. And there are definitely not enough firefighters.

S. O. 52

The difference is that last fall there was still time to prepare for the current fishing season. There would have been enough time to put in place concrete measures not only to protect the fish but also for people to survive. The government's lack of vision is appalling and its humanism is dubious. It must face up to it today.

I am not and I do not pretend to be a scientist, but I know that one seal eats a lot of cod, and this has been a known fact for years. Does the fisheries and oceans minister want us to believe that studying the impact of seals on groundfish would be useful? It would cost \$6 million. The Fisheries Resource Conservation Council is saying that seals are the main reason cod stocks are dwindling.

It would be \$6 million down the drain. The idea of seal exclusion zones is excellent, as long as it is not another excuse to undertake endless studies and is done in a rational and efficient manner.

● (2150)

The cod moratorium is costing 400 hundred jobs on the Lower North Shore alone. One could easily believe fishermen could go turn to other species, but for that you need alternate resources. Eighty-five per cent of income on the Lower North Shore comes from fishing. Between 85 and 90% comes from snow crab. I should say "came" since there is no more snow crab.

Everybody is aware of what happened to the crab fisheries in zone 13. Zone 16 is excluded. Lower North Shore fishermen have taken a double hit. There is no more cod and no more crab. Simply put, they have nothing left, no way of making a living.

How is it that Newfoundland crab fishermen are enjoying the status quo when their neighbours across the way, in zone 13, have nothing? Fishermen in Newfoundland are not short of money as for weeks now they have been hunting seals on the ice pack. People on the North Shore are well ahead as far as their yearly income is concerned thanks to the seal hunt, and they will make it. Newfoundland hunters were afforded this opportunity through access to harp seal allocations.

Those on the Lower North Shore are still waiting for the ice to melt so they can put their boats in the water. Once again, the minister has shown bad faith. Several months ago, the minister was asked to make a decision. How can the Minister of Fisheries and Oceans refuse to answer our request for quotas for the exclusive use of the Lower North Shore, given all the evidence? Of the 350,000 on the Lower North Shore, only 1,200 remained this morning. These people risked their lives to go out on the floes.

It is not that they do not want to work and earn a living. The Lower North Shore needs an exclusive seal hunting quota so these people can earn a living.

The minister must order this today. And, above all, we must avoid what happened with the cod, where we waited. These people must be given exclusive quotas because the general quotas have almost been reached. It is about being just and fair. A political decision must be made and, like the member for Manicouagan, I urge the Liberal government to make it.

When I say that these people have nothing, I mean nothing. There are 15 small fishing villages doomed to extinction if rapid and effective intervention is not immediately forthcoming. We are talking

about 15 Murdochvilles asking for help to survive. While the Gaspé and the Magdalen Islands still have other sectors, like forestry, industry and tourism, to compensate somewhat for this situation and provide work, the Lower North Shore has only the fishery.

I am not saying that fishers in other affected regions should not get help, far from it. I am simply saying that the Lower North Shore is totally dependent on one industry, has no highway connecting it to the rest of Quebec and is dependent on itself. Almost its entire economy is based on fishing. I do not know if people can understand how dramatic this situation is.

Since last week, the region has been in a state of shock. The cod is gone. There was always crab, but with Friday's announcement, the region and the entire population is on life support. The region is being killed as a result. It is totally unthinkable and unacceptable for a government to ask so much from one region.

The government measures to protect the fishery resource are having a really devastating effect. It is destroying the region, draining the whole area and causing distress for whole families, some of whom are left with nothing. This crisis caused by the government's inaction is totally inhumane. Once again, it is a tough blow. If we want people to remain in the Lower North Shore region, other industries will have to be developed.

● (2155)

We agree that the measures that were announced to deal with this crisis are necessary. However, the \$50 million assistance plan the government announced with great fanfare last week falls far short. We clearly do not need a band-aid solution here, but rather a complete recovery.

The assistance plan is clearly not enough. First, we need immediate action. Some fishing communities will pull through, although with some difficulty. But not in the Lower North Shore region. We need very specific measures. Six weeks of mini-projects will be pointless, except to start planning the exodus toward the urban centres where unemployment and employment subsidies are the only things awaiting these workers.

Concrete measures are needed. I was there on April 1 when a well-thought-out and realistic recovery plan was submitted to the Minister of Fisheries and Oceans by a delegation of experts from the Lower North Shore region. Besides dealing with what is currently threatening the fisheries and promoting real economic development, this 14 point plan, which is totally feasible, would have medium- and long-term benefits.

This plan proposes, among other things, to tap into emerging species such as the sea urchin, the rock crab, the winkle, as well as those for which there is not a large market, such as herring and mackerel. This is a program of the Atlantic wolffish industry for which, I repeat, there must be an exclusive quota, which would allow a business, with a few weeks' notice, to immediately set up and start to operate. The plan also proposes a program to create a regional development fund and an aquaculture program: training, development and exploitation.

*S. O. 52*

Also included are measures to diversify workers' qualifications to recycle them into these new areas, as well as early retirement programs, licence buyouts and so on. This plan is really interesting and, most of all, it is practical. It is also high time that the government engaged in a genuine cooperative process with the Quebec government to complete Highway 138 between Vieux-Fort and Saint-Augustin. Besides creating real jobs, such an initiative would revitalize the region.

It would give hope that something is finally happening. Funds must be released for this highway. This is a real solution to the fisheries crisis, because, most of all, we are here to try to help people. The minister talks about improving the viability of local economies; this is a real good way to do so.

The Lower North Shore recovery plan could certainly be used as a model because it is time the government looked to the future and stopped forcing workers in one of its most important industries to simply try to survive from one week to the next. Quebec and the Atlantic provinces are the economic engine of Canadian fisheries. Exports reached \$3.4 billion in 2002, compared to \$3.1 billion in 2001 and \$3 billion in 2000. Exports from that region account for 74% of total Canadian exports.

The time for rescuing the industry is over, even though such a rescue is necessary. Canada is lagging behind in terms of developing the fisheries. Why has our aquacultural potential not been developed yet? The bays in the Lower North Shore region are more beautiful and better suited for aquaculture than the ones in Norway, and this is why we must diversify and develop that potential immediately. The minister must consider integrated management solutions and innovate rapidly.

The North Shore aquaculture research centre has been asked to conduct a feasibility study for a cod aquafarm. Why not go ahead with this project now? It would be a golden opportunity for the federal government to finally take action.

• (2200)

In conclusion, we are saying that it is the minister's responsibility to take measures, and we expect answers to our questions. We want viable solutions, not band-aid solutions. Fishers in my riding have done their job. Political parties here have spoken out and they have done their job. Now the government and the Minister of Fisheries and Oceans must do theirs.

[*English*]

**Mr. Lawrence O'Brien (Labrador, Lib.):** Madam Speaker, there has been a great degree of despair from my riding and from the fishers whom I met today. I did something today that nobody else in the House did. I went into my riding on a charter paid for by the taxpayers of the country and met firsthand with the people who are affected by the closure of cod and 40% closure of crab in my riding. I am the most affected MP in all of Canada. Nobody is more affected than I and the people who I serve in the riding of Labrador.

I went into Port Hope Simpson last evening. I met with the crab fishers and despair was the order of the day. I ask all Canadian friends watching tonight to join with me in showing respect, honour, dignity and maybe something a little better than that, support for the cause and plight of these people.

The people who I met last evening in Port Hope Simpson never got to be in the mess they are now because of their own doing. It was because of the Department of Fisheries and Oceans of Canada, starting in 1997 through to this very moment.

Let me explain a few points. In 1997 the Government of Canada brought in an inshore northern shrimp policy to the tune of 110,000 metric tonnes. We have 17 big boats that fish offshore. We have 400 more boats at 65 feet or less that fish and 60% of the shrimp is caught off the shores of Labrador within 60 to 100 miles.

Let me say to the Minister of Fisheries and Oceans, to his deputy, his ADM and all those officials in the PMO, the PCO and the P of whatever O, and I do not care what O it is, if they were put into a situation like those little crab that lie on the bottom off Labrador and if they had drag boats rolling over them day after day, I do not think they would have had the breath of day to make the kind of decisions that were made this past week. That is a very fundamental point, and I am not saying it lightly. I am saying it with full heart. My heart is beating very quickly and not because I respect the decision that was taken by the government. It is beating because I have passion for the people who I represent.

I am telling Canadians, the Prime Minister and the Minister of Fisheries and Oceans, if they are watching, that the people of Labrador deserve better. I am telling the Deputy Prime Minister, caucus, cabinet, members of the opposition and all Canadians that those people deserve better. We have the resources. Canada has mismanaged our resources time and again.

I am absolutely infuriated with what has happened along the shores of Labrador. We have enough shrimp, if a fair share was given to us, to look after every man, woman and child. Instead the Government of Canada would prefer to give more to its great corporate friends. While they have more condos in Florida and more money, my workers and fishers, supporters and constituents are literally dying on the vine. It is just not good enough.

I would like the minister and his department to get a handle on that. When he comes down with the shrimp plan in the next couple of days he should do the right and honourable thing and recognize the adjacency of Labrador, just like the Government of Canada was forced to recognize the adjacency of Nunavut when Nunavut took it to court, won its case and the government had to sit down in the DFO and negotiate a better deal on shrimp for it.

The same sort of thing is required here. We are adjacent and we are aboriginal. We have Inu, Inuit, Metis, settlers and whoever and they are all good hard-working people. Canadians, please consider these people because they have not been given the right consideration to this point in time.

I promised them last evening that I would bring their plight to the House this evening. I have been on the go. I went to bed at one o'clock, got up at five this morning and went into meetings on cod. I travelled all day and made it here tonight. It has been a long 24 to 48 hours for me.

S. O. 52

● (2205)

I care and I would like for others to care. I would like the *Globe and Mail* and the various other editorials of this country to write the right stuff instead of the garbage they are putting forward on the plight of the cod in Newfoundland and Labrador.

It is one thing to play games about species at risk or have the minister make a joke of it like he did yesterday when he said: "Well I'm going to ask the seals to leave". That is not a joke for the cod fishers who I met with this morning in L'Anse au Loup at the Labrador fishermen's union. It was no joke. It was a dead serious issue. People were crying. People were begging me. People were saying: "Lawrence what can you do to assist? Our way of life is gone. We don't want to go to Toronto. We don't want to go to Edmonton. We have our homes. We're 50 years of age. What are we going to do? We're not trained for anything else? You are humiliating us with make-work projects. We don't want to build walkways or parkways. That's not what we're used to. We're used to fishing. We're used to working in plants. Give us some dignity".

I am asking Canadians to support me in giving some dignity to the people who I represent. Also, my colleagues throughout the province of Newfoundland and Labrador and Atlantic Canada need to be respected and I do not feel we have been respected. I do not feel I have gotten the respect. I am absolutely dismayed and those fishers have asked me to bring this back and say "please consider".

I believe very strongly in the FRCC, the Fisheries Resource Conservation Council of Canada. It is an independent body that is made up of corporate, fishers, unions, scientists and the right people. They do the right kind of public consultations. When they came in with 3,500 tonnes I bit my teeth, but 3,500 for me was better than nothing. Now we have a rock in the pond.

The minister has missed the boat, his science people have missed the boat and his officials have missed it. They did not take into consideration the all party committee. They did not take into consideration the plight of the members of Parliament. They did not take into consideration the FRCC. They did not take anything into consideration and they did it without any consultation, and bang it goes, goodbye, never to be seen again. The government will give us 18 months of make-work and "get away from us".

That is not good enough. If that is what the Government of Canada stands for, I am very unhappy to say that I am a member of this government. I want to be in this for the long haul and I want to be a member of the government for the long haul. I want to help the government that I am part of and I want to be a full participant and full member of Parliament here but members of Parliament will have to rally behind us. If they are listening at all, if they care at all, they should rally behind us, support us and send a different message or help support our message to the minister so he might end up hearing the actual facts. In my view there is enough fish for our fishery.

I want that to be respected. I know it will not change, or I do not feel it will, but I would like to see the science put into perspective. I would like to see some independent scientists review the science of DFO to ensure that it is proper science. If it is not going to be open this year, which I know it is not, I would like to see proper signs, proper reviews, proper constructive representation and so on and

maybe we could get a fishery for next year. I am putting my hope in something beyond this year.

Right now we are preparing for make-work. Make-work is not what we want. If we are going to do anything, let us do some buy out programs again. Let us get back to dignity. Let us do some retirements. Let us do something for those who may be younger and have some hope and passion for getting back on the sea some day. They do not want handouts but we are forcing them into it.

It is the Government of Canada's decision, through the Department of Fisheries and Oceans, that has put the people of our province and the people of the north shore of Quebec and the southern gulf in this situation. I really feel things can be better.

I was there last evening. My folks in Port Hope Simpson are very gentle, quiet people and in many ways very passive people. The sadness displayed was unreal. They took a 30% cut in crab five years ago. They took a 40% cut in crab right now. That is 70% in the last five years. They took a cut in crab in 1995.

● (2210)

When we ask DFO why 2J north and 3K south are not bad but 2J in the centre is bad and when I, my fishers and all the people along the Labrador coast say that it is bad because there is too much activity from the auto trawls of 400 or 500 boats going 365 days a year, DFO says it is inconclusive. In my view, if we are inconclusive on something, if something is a grey area and Canada thinks it is so great on conservation, why not err on the side of conservation and put no trawl zones in place. All we are asking for are no trawl zones where crab is due. Is that not simple? I think it is simple language, simple words, a simple answer and a simple response, but no.

We asked for a caplin closure. Some people played around with that, split weirs and finally came down with a 40% cut. We asked for seals to be taken out. They are going to study seals to the tune of \$6 million. It is not study that we want. We want a reduction in seals. We want those seals taken out. I do not care how they are taken out. Every bloody one of them can be killed. I will go in there myself with a rifle and help shoot them. It is not a problem. I would assist. I am a hunter and have no problem doing that because I am doing something far different than what other parliamentarians are doing.

As far as I am concerned, the House of Commons is scared to deal with seals, not only on this side but on both sides. In my view the reason why it is scared to deal with seals is because the international fund for animal welfare may polarize 5% or 10% of a riding or maybe in close swing ridings will change the vote. We are all a little huddled and cuddled back and frightened of it.

*S. O. 52*

I would ask the entire House of Commons to be very considerate of this. I know members may be a little worried in their own little corners. I am not worried because in my riding I do not think anyone believes in having seven million or eight million seals. We have to bring that down.

Believe or not but the other day I was at DFO, and I really have to bring this point out. I was having a discussion about seals with a senior official. He asked me if I had ever stopped to think that it might be mackerel eating the new spawn from the cod which was causing the problem. I said that I never thought about it and that it was a new one to me. I never heard mackerel being brought into the equation before. Now DFO is trying to bring in anything it can to save the seals because it does not want to deal with that issue. However the seals have to be dealt with.

For us to revive the cod in the north Atlantic, we have to get the seals back to the levels they were in the 1970s. I share the views of my colleague next to me and many of my colleagues around me. We all have similar views. We have to put it into a management plan that brings the numbers down so we can allow the equilibrium of the North Atlantic to be balanced and get some things rolling again, such as caplin.

I can promise that when the increase is finished on shrimp, 140 million tonnes by the way, which is a little fish that the cod eat too, we will end up in 10 years or so with that basket empty, as well as cod, caplin, herring and all kinds of fish. It is a case of mismanagement. It has nothing to do with which party is in power. It started 50, or 60, or 70 or 80 years ago and continues. In my view it has nothing to do with stripes of power. It is the total mismanagement of DFO that has caused these problems.

That being said, what are we going to do about it? Let us get real. Stop throwing money around and start taking action. We can throw the money around and take action too if that is what everyone wants. I do not mind. With \$6 million people can do whatever they like. However we need action on predation. We need action on rebuilding stocks. We need action on the little fish that cod and other fish eat, like caplin and so on. Some action was taken but it was not enough. In my view the response of DFO to the all party committee report was a very minor response.

That all party report meant a lot to me. Senators, members of Parliament including the official opposition and the NDP, the two committees in the House, the senate committee on fisheries and the commons committee on fisheries and the premier worked collectively with good science.

● (2215)

In my view, we were assisted by a great scientist, a man who is well known in his field, Dr. George Rose from Memorial University. If George is listening, I want to tell him that he is, in my view, the best. I would build a team around him anytime for independent science.

We had the right political mix, the right union mix and the right industry mix. The FRCC came in very close to the right mix. The question for which I and the people I represent beg an answer is how could anybody come in with a decision and not support it. That is the question that is begging inside all those people in St. John's and

Corner Brook who are in the office of the minister responsible for ACOA tonight. They can have my office forever because it is not my office, it is their office. If my constituents are listening, they can take over my constituency office and keep it for eternity because it is their office not mine.

I support my constituents first and foremost. I am a people person. I represent my riding. I will take second place to nobody when it comes to the people who I represent in my riding. I do it with a great deal of passion and hard work.

I am absolutely furious and devastated at what I have witnessed over the last 24 hours in bringing forward the plight here to DFO, the PMO and everybody else. To hear the kind of insults that were slurred at me tonight by the Minister of Fisheries is unreal. I just asked the Minister of Fisheries tonight that if he were from Labrador would he have made that decision. I do not want to repeat in public what he said back to me.

● (2220)

**Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):**  
Madam Speaker, I will be sharing my time tonight with the member for Skeena.

We congratulate the member for Labrador. We know that for him this is not just another issue, this is a heartfelt issue. We also congratulate the member for Bonavista—Trinity—Conception for bringing this very important issue to the House tonight on behalf of his constituents in the province of Newfoundland and Labrador.

This is not just an issue for Newfoundlanders. This is an issue that affects all Canadians. Newfoundlanders are our neighbours, although a little removed from where I live on Vancouver Island, but this is an issue on which we need to stand together. Canadians need to recognize that we are all Canadians and that even though we do not face the same realities every day, we can identify with life issues, the day to day, bread and butter issues of our neighbours, and that we need to stretch ourselves to do so.

The issue today is about the cod closure. A few days ago the minister announced the closure of three cod stocks in the Gulf of St. Lawrence and in the northeast of Newfoundland. He talked about bringing in conservation measures, about creating seal exclusion zones and no trawling zones, and about closing the recreational fishery in the Gulf of St. Lawrence and in the northeast of Newfoundland and Labrador for the next three years.

He has talked about community based economic development assistance of some \$44 million over two years. He has talked about a \$6 million investment in scientific research to evaluate and assess the impact of seals.

*S. O. 52*

That is what the debate is about tonight. We heard a very impassioned plea from the member opposite on behalf of his constituents. I do not know how it can be said better than that. A lot of data has been presented tonight and most of the issues have been addressed but we want to bring a perspective to this debate from the other side of Canada because fisheries decisions do affect communities. They affect the communities that depend on natural resources. These decisions that are taken affect the stocks on the west coast as they do on the east coast.

I am pleased to say that up until recently I served with my colleagues on the fisheries committee for about two years. I appreciated the support we received from the committee on a very important fisheries issue in my riding involving the hake fishery. I appreciate that the committee took the trouble to come out to hear the issues on the west coast. The minister made a right decision on that fishery and we appreciated that. The fishery was managed on shore as it ought to be. There are still issues with that fishery but we appreciate that decision and the support of our colleagues.

However, in the same way, we on the west coast want to identify with the people of Newfoundland in their issues. This is a decision that involves all Canadians. It is a Canadian resource. It involves the custodial management of the Grand Banks which is part of our continental shelf. It is part of the shore on the continent on which we live and it is one of the most prolific fishing grounds that the world has ever known. Of course the closure is not directly out on the Grand Banks part, it is more inshore, but the issues overlap on the two areas.

In introducing this I want to allude to a couple of fisheries issues on the west coast because they are management issues. In fisheries management sometimes we make good decisions and sometimes, unfortunately, we make bad decisions, but whatever the decisions are, they influence people's livelihoods and it is the bad ones that are the most costly.

We have had our experience with bad fisheries decisions on the west coast and I will allude to one that is very current: the recent disaster in the fishery on the Fraser River. The minister just recently acknowledged the rather disastrous management issues on the Fraser River sockeye run. It is one of the largest runs in history. Some 15 million sockeye salmon swim up the Fraser River but only 3 million are allowed to be taken because of conservation concerns.

Some 12 million fish were allowed to swim by. It was about a \$200 million loss to the commercial fishing fleet which has suffered greatly over the last number of years. The minister and his officials have now recognized that it was a mistake but the cost to the local fishermen and the cost in watching this huge resource swim past and not being allowed to catch them was a decision that really hurt the community and the people who were most affected by the fishery.

• (2225)

Another issue on which I want to touch base relates to aquaculture. The people on the west coast, as well as on the east coast, particularly in Newfoundland and Labrador and in New Brunswick, have big concerns relating to aquaculture. In my particular riding it is a huge issue right now. The concerns are science related. I am very pleased that the DFO is putting money into

more science for aquaculture issues in relation to the interaction between wild stocks and aquaculture.

We have made bad decisions and good decisions. The provincial government had a moratorium on aquaculture sites because of the concerns of the day. However for many years new sites were not allowed and, frankly, that was a bad decision because it compounded some of the problems when the aquaculture sites were not allowed to relocate to less sensitive areas.

Right now there is a big issue with proposed siting all along the Alberni Inlet, which is a high traffic area for commercial and recreational fishing and in sight of a huge population. It is not a good location for siting. Maybe the forest industry could learn something about clearcutting right to the edge of the highway.

It was not a good decision and we are on the record as being opposed to that decision. We can have aquaculture in a lot of places but not in a high traffic area in the middle of a commercial fishery with a huge wild salmon run.

I want to go back to the issue of the day which has affected our friends from Newfoundland and the people on the east coast. Other members have addressed the fact that groundfish stocks were at an all time low in 1992 due to mismanagement and overfishing, but other issues are germane to this discussion today.

Historically, the people went to Newfoundland for one reason: the abundance of the fishing resource in one of the most prolific bodies of water on the face of the earth. It fell to us as Canadians and to the people of Newfoundland and Labrador to manage those resources but, sadly, we failed at being good managers of the resource.

In looking at this over the last number of years we can see why the stocks, in spite of the closure in 1992, failed to return. These have been alluded to but we need to go over them quickly.

If we do not get serious about rebuilding the cod stocks the communities will literally disappear. We do not need more Newfoundland communities in Edmonton, in Fort McMurray or in other places where Newfoundlanders find work. Frankly, we feel that on the west coast as well because, sadly, many of our young people, because of the downturns in forestry and fisheries, have ended up living in a province where they would prefer not to live but where they had to relocate. We want Newfoundlanders to have a chance to benefit from the resources in their area.

There are two main reasons why we failed to see the stocks recover. The obvious one, which we heard mentioned tonight, is the seal population. If we are to make a decision as Canadians, we need to make a courageous decision.

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We have heard it said tonight that it is estimated that some 7.5 million to 8 million seals are in that area now, an area where a sustainable herd would be about 2.5 million seals. Each of these seals eat about a tonne of fish per year. That is a lot of tonnes of fish being eaten by seals. As has been said in debate before, seals do not eat the whole fish. They just take a bite out of the belly, eat the choice parts and the rest is left to rot on the sea bottom. It is a tragic waste.

I can well imagine how farmers would feel if wolves were jumping over fences and tearing the guts out of the sheep and lambs in the fields. What is the parliamentary word for this? If the wolves were eviscerating the sheep and leaving them bleeding and dying in the pastures I think there would be a call from Canadians to take action and cull the wolf packs that were taking out so many sheep.

As Canadians we need to do the right thing. We need to encourage the minister. He has increased the cull on seals to 350,000 a year over three years but it is not enough. We need to be realistic. We need to deal with the predation issue.

We also need to deal with the overfishing issue, the foreign overfishing off the nose and tail of the Grand Banks. The stocks do not stop at the 200 mile limit. They follow the continental shelf out to where the food supply is plentiful. With foreign overfishing beyond our 200 mile limit, the stocks go to where there is abundant food and they get siphoned off. It is like going down the drain. Foreign fishers keep taking our stocks.

• (2230)

That is one of the huge issues that must be addressed. The fisheries committee made an excellent report, recommending custodial management. Canada must do the right thing. It is our continental shelf. We must do the right thing by taking custodial management, managing the stocks, and giving the people of Newfoundland and Labrador a chance to prosper and profit from the resources. They can come back if we manage them properly.

**Mr. Andy Burton (Skeena, Canadian Alliance):** Madam Speaker, even though I am a west coast member of Parliament the concerns tonight are basically east coast. I will address those, but they are similar to a lot of concerns we have on the west coast.

The debate tonight makes it clear there is a huge problem with the management of fisheries right across Canada. I hear more about federal fisheries operations in my riding. With all due respect to some of the good people who work for DFO, we have huge problems with the management of DFO. These management problems are not new. Fisheries has been in crisis management for many years, if not decades. We are paying the price now and the people of Newfoundland and Labrador are definitely paying the price.

The Liberal decision to close the cod fishery ignores the advice of its own advisors and the people of Newfoundland and Labrador. The Fisheries Resource Conservation Council called complete closure an unrealistic option that in no way would guarantee stock rebuilding. The Liberals have disregarded that advice and stalled on these issues for years. They do not take the advice of people and groups hired to give them good advice.

We have heard a lot about seals tonight and I will talk about them a bit more later on, but I do not think it is any secret that seals eat fish. My colleagues across the floor are obviously concerned and very aware of those issues. We have a similar problem on the west coast. It is something we will have to deal with soon or we will be in a similar situation on the west coast with our salmon as the east coast is with their cod.

It is utter mismanagement that is creating these problems. Some of the solutions and some of the statements that have come out of the fisheries ministry are absolutely unbelievable.

There was a headline in the *Ottawa Citizen* today that stated, "Critics see something fishy about 'seal exclusion zones'". I see something fishy about it too. I will quote a little from the article:

In a desperate effort to save dwindling fish stocks, Federal Fisheries Minister Robert Thibault vowed yesterday to set up "seal exclusion zones" to protect important cod spawning areas...

That is a pretty good concept if we can do it. But how in God's name can we do it? Seals do not stop at a fence or gate; they do not read signs. It is totally unrealistic. We are in serious trouble if that is the best we can do with the huge multi-billion dollar budget that federal fisheries has.

The *Chronicle Herald* stated, "Fishermen in Newfoundland burn flag, vow to defy cod ban". This really defines how serious this problem is in the hearts and souls of Newfoundlanders and Labradorians, and certainly these problems will spread to the west coast. One member of the Fish Food and Allied Workers Union said:

If the federal government thinks this is an issue that's going to die down after a couple of days, they've got another thing coming.

I am afraid he is probably right. The fisheries department responded to some of the protests by closing 10 offices along the west coast of Newfoundland and in Labrador. How is that dealing with the problem? That is not facing up to the problem. That is just running away from the problem.

I will present a little bit of history on the seal issue. I have with me a seal report that was tabled in the House of Commons in 1999. It contains a number of recommendations that went to the government of the day, a different minister but the same Liberal government, and I will quote a little from it:

The FRCC has also raised an alarm about the effect of seal predation on cod stocks. In a November 1998 report to the Minister of Fisheries and Oceans it stated:

We are disappointed that the effects of seal consumption could not be quantified as part of the 1998 SSRs [stock status reports] for Atlantic cod stocks. DFO analysis suggests that:

grey seals are consuming between 5,400-22,000t annually of Eastern Scotian Shelf cod (on a total biomass estimated to be as low as 32,000t);

In other words, they are eating most of it, or they were then. The report continues:

harp seals may be consuming as much as 140,000t annually of northern cod;



seals in the northern Gulf of St. Lawrence may have consumed as much as 68,000t of cod in 1996;

And it goes on and on. What was the response? The government set up an eminent panel on seal management, which was probably not a bad idea, but again it did not listen to the panel's recommendations.

• (2235)

Again, estimates of the amounts of some commercial fish species, particularly northern cod, redfish, Greenland halibut and American plaice consumed by seals and many NAFO divisions are large in comparison to current fisheries catches. Seals also consume large quantities of capelin, which is an important prey for many of these commercial species. It just goes on and on. Seals are a huge problem and we are not dealing with it. This was reported in 2001, two years after the report went to government.

Funding for seal science in general should be increased. We are talking about \$6 million for studying it some more. As a member across the way said a little while ago, we do not need another study. We need action because seals are a huge problem.

The fisheries committee, which I am pleased to be a member of, spent a great amount of time last year studying the overfishing on the nose and tail of the Grand Banks and the Flemish Cap. The committee made a substantial, all party unanimous report that was tabled and given to the fisheries minister. It was basically rejected out of hand.

The report gave the minister some good information on how to deal with managing the stocks a bit better, the problems with NAFO, the problems with seals and the cod stock reduction. It was totally rejected. What is the point?

I have the report of the Standing Committee on Fisheries and Oceans on "Custodial Management Outside Canada's 200-Mile Limit" that was tabled in March of this year. The report talks about custodial management, the problems with NAFO, and the overfishing by foreign fleets. These are situations that have been going on and on for many years. It is time that the minister of the day, the ministry, the Department of Fisheries and Oceans, with all their staff and huge budgets, dealt with these issues.

The department has all kinds of people here in Ottawa in the fisheries offices. I do not know what they do. I do not think there are very many salmon, or cod for that matter, in the Ottawa River and if there are it would be a surprise to me. We are talking about cod here tonight.

The point I am trying to make and drive home is that we have a huge problem here. It is time to put aside political differences, whatever they may be. It is time to put aside any sort of rhetoric or concern that perhaps somebody might not like this or like that. For instance, if we talk more about the seal hunt, which I firmly believe we have to do, it is time to put all of that aside and do what is right. We must do what needs to be done.

That is why we are here as members of Parliament. We are here to make decisions and to do the right thing, not what might be politically correct or what might be the flavour of the day. We are here to try and correct this particular situation that will create a huge

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problem for the people of Newfoundland and Labrador. I am very much afraid that as time goes by it will also affect people on the west coast. It has already to some large degree.

As my colleague from Nanaimo mentioned earlier, the fishery on the Fraser River was allowed to have a huge over-escapement. Over-escapement is as bad as under-escapement. It pollutes the spawning beds and creates problems for future years. Again, it is the mismanagement of the whole fishery issue. I must keep on saying mismanagement because that is what it is all about.

There must be further studies on seals and that is good. Let us get more information. However, let us move on some of the information that we already have. If the Department of Fisheries and Oceans does not have sufficient scientific evidence on seal populations on both coasts, in fact all coasts including the Arctic coast, it has not been doing its job. This is part of fisheries management. Dealing with predators is part of a management regime for any species. If we have a predator problem then we should be dealing with it.

Human beings have become a predator of our fish stocks. It has evolved over centuries, thousands of years, and we have become more and more of a predator of our resource fish in the ocean. We have become the predator.

Therefore, the natural predator, which to a large degree is the seal, must be balanced out. We have totally ignored that issue. We have turned a blind eye and it is time to deal with it. Otherwise there will be no fish.

The bottom line is, what the minister has done in the last few days is too little, too late. The stocks are almost gone. The member for Labrador said it is just not good enough.

• (2240)

I strongly urge the minister to reconsider his decision on the complete closure of the stock, allow the people from Newfoundland and Labrador to at least have some input into how their fishery should be managed, listen to them, and start listening to all these recommendations that have been put forward to him over the years. It is time for some action.

[*Translation*]

**Mr. Georges Farrah (Parliamentary Secretary to the Minister of Fisheries and Oceans, Lib.):** Madam Speaker, I too am very pleased and moved to be able to speak this evening in this emergency debate on the cod moratorium in the Gulf of St. Lawrence, which was ordered by the Minister of Fisheries and Oceans last week.

Moved, because I am also aware of the impact such a decision will have on the communities affected, both in Newfoundland and in Labrador. As far as Quebec is concerned, only my riding is affected by this decision. Given the economic situation prevailing in our area, as you know, a decision like this one will do still more harm to people who are already in very precarious situations economically.

I must say that the minister has nevertheless reached a very brave decision, one that was not easy. It was certainly no pleasure for the minister to take this step, since he was aware that any such decision would have a heavy impact on the affected communities.

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It must be admitted, however, that in reaching such a decision the minister is respecting his first mandate: respect and protection of the resource. That is the mandate of a Minister of Fisheries and Oceans. Second, it is a visionary decision as well, as the minister needs to ensure, within a long term perspective, that the cod will be able to come back and future generations will be able to reap the benefits.

Perhaps we can debate the past, decisions made over the past ten years, but the situation is such that we are confronted with a fact: fish stocks, cod stocks in particular, are greatly endangered, especially in the Gulf of St. Lawrence. That is why the minister feels obliged to reach such a decision, such a courageous decision.

Everyone agrees that the minister's decision, one that was not any easy one, was the best one to be made. Even former Conservative fisheries and oceans minister John Crosbie, a Newfoundlander, and Brian Tobin, also a former fisheries and oceans minister, have stated publicly that this was the best decision to make, that the minister has made a very courageous decision, the one on the right track, the one that had to be taken.

It is worth noting that former fisheries and oceans ministers who have known similar situations, for whom things have not have been easy, who might even have ignored scientific advice because of political lobbies and who might have lacked courage at the time, are now saying that the minister has made the right decision. I think that this has to be pointed out.

This does not prevent the affected communities from being hard hit. This is why we have put forward a compensation plan. A little earlier, I was listening to my colleagues, who were talking about it and saying that it might not be enough and that more money would be needed. Of course there is never enough money.

However, I think that this is a step in the right direction. We are talking about \$44 million for Newfoundland and Quebec, that is \$25 million for Newfoundland and about \$15 million for Quebec. This is essentially a short term solution. It will allow us to develop very short term projects.

We all know that it will not solve all the problems, but the money will temporarily help people who have problems, people who need basic necessities for their families and for themselves. I think that it really proves that somebody has acted responsibly in that regard.

Second, and this is the important element, and that is what we have been saying, we will have to work on long term solutions, in cooperation with the industry, with the processing firms, with the fishermen and with the plant workers. We have to work in cooperation with them to promote economic diversification process, diversification of the industry, to make up for a difficult decision made by the Minister of Fisheries and Oceans.

It is therefore a short term measure aimed at helping those people to get a minimum income so that they can provide for their own needs, and also at working with the whole industry to develop transitional and diversification measures.

• (2245)

This is how we will be able to work with the industry. Some people have said, "Yes, but why have you not come up with specific programs? Why have you not indicated what direction you want to

go in?" We have not done so because we do not want to unilaterally impose a program from Ottawa on people who are affected by the minister's decision.

What have we said? We have said that we will work together with these people. Both parties will try to come up with a solution for economic diversification, both in terms of production and in terms of different sectors of activity.

That is why we are not coming in with concrete measures. We want to do that with the people who are affected and who are knowledgeable in their field. That is what the government wants to do. In the short term, we will take action, but at the same time, we need to take a long term approach.

We will discuss developing the seal industry more. The minister made a courageous decision over the winter, to increase the seal hunt quotas in a multi-year plan over three years that will see almost one million seals being taken in the next few years.

In fact, one thing must be said. Even if we were to increase the seal quota to two, three or four million seals, we do not have a market at this point for these seals. As a result, we need to increase the size of the hunt, but at the same time, we need to work with the industry to develop new niche markets. Then, these new markets will justify increasing the size of the hunt so that it benefits communities, on the one hand, and helps the cod stocks recover on the other. After all, the seal is definitely a major predator of the cod stocks.

The easiest decision for the minister to make would have been to allow the cod fishery to continue, despite scientific advice. It would have caused further deterioration of the stocks, which would have taken even longer to recover. That was the challenge the minister was faced with.

It would have been easy to say, "I am making a short term decision, and in two, three or four years, there will likely be another Minister of Fisheries and Oceans, he or she can deal with the problem".

There might be some opposition to it, which is to be expected since its impact on communities is harsh. But it must be recognized that the minister made a decision which, I believe, is wise since future generations are at stake.

One of the problems is due to the fact that when the cod fishery was reopened in 1997 and 1998, we had quotas of up to 6,000 tonnes in the gulf. I believe—and I might be wrong, but this is my humble opinion—that this decision significantly delayed the recovery of stocks.

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If we look at the quotas that could have been allotted this year, we are talking of 3,000 tonnes according to the FRCC report. When we look at the number of fishermen involved, 3,000 tonnes would have been a mere pittance for fishermen, in view of their numbers and the meagre quotas that would have been allotted. So, on the one hand, the desired economic level to make fishing viable for fishermen would not have been reached and, on the other hand, it would have further jeopardized cod stocks, in a big way.

This essentially is why the minister had to make this decision. He did not do it light heartedly, we admit that. My community in the Gaspé has been hit just as hard as communities in Newfoundland and Labrador. It is tough. Gaspé Cure—which simply put produces dried salt cod—operates only in Quebec and in my riding. We are talking about 400 jobs. God knows it is not easy in an area such as mine to lose probably 400 jobs as a result of the minister's decision. But he had no choice.

• (2250)

This is why the Economic Development Agency of Canada for the Regions of Quebec and the Gaspé office have already met with the industry leaders of Gaspé Cure yesterday. This was to ensure that we would work with them, with this \$14 million provided to Quebec, to find a way to help workers and industry leaders during these hard times, to find a way to negotiate and to work with these people to devise a diversification model for their production and our economy.

Of course, this does not meet all the needs. We cannot tell exactly everything that happened. This would cost a fortune. However, I believe that the government has honestly and objectively shown its goodwill, despite this difficult decision. It wants to help these people, who have quite rightly asked for assistance, which we must provide them with.

As the minister indicated earlier, of course, other decisions have been taken concerning this closure. As you know, the minister will also ban trawling in specific zones where cod used to spawn, that is cod reproduction zones. We know that the minister has also taken a decision relating to the caplin fishery reduction, knowing that cod eats a large quantity of this species.

As I have already said, the minister has also reached a decision on the seal hunt, namely to raise the seal hunting quota for the next three years. This is a clear indication of our willingness to achieve a set of interventions that will show we have learned from past mistakes.

Of course we could review past events and say, “The poor management dates back five, ten or twelve years”. That does not solve the problem, however. This is why we are here with concrete actions, ones we honestly believe will bring about improvements to the situation. We are definitively not in a position to say at this point how many years it will take to rebuild the stocks. It can take a very long time, unfortunately.

The problem is that we cannot give the fishers fish we do not have. That is the dynamic we are up against. I have heard fishers in my riding tell us, “This is how I earn my living; it is my tradition. It is something we do, generation after generation”. This is very praiseworthy and must be recognized as such.

It is one thing to recognize that, but it is another thing to be able to give them fish so they can fish. There are no fish, and this is why we have to make such difficult decisions. Even if the decision were reversed, there would still be no fish. Let us develop a plan to ensure that this resource is available later for these fishers—let us hope that it is as soon as possible—or, if that is not possible, for generations to come. That is the challenge that we are facing.

There is another factor that must be considered with regard to fishers. More and more, in other types of fisheries, such as crab and shrimp, because of the abundance of the resource and its price—the value of landings is considerably high in Canada because there is more activity in these fisheries—the department has been able, in previous years—and we hope that it will be the same in the future—to redistribute part of this resource to fishers who are going through difficult times, especially groundfish fishers. This would give these fishers access to a minimum income. It would also make it easier to respect the fact that these people want to fish.

Miracles are not possible, but through the allocation of resources other than cod, which are the most lucrative and more abundant, these people could get, in some part, what they are asking. This would fulfill two requirements: ensure these fishers a minimum income for a decent living and, secondly, allow them to do what they want and dream of doing, which is fish.

Naturally, I listened to most of the comments and speeches this evening. On the whole, they were passionate. We represent our communities, and we know that this kind of decision is very hard on them. Such a decision was not taken lightly. However, it is essential to recognize very objectively that the minister had no choice. It is not true that we get up in the morning and say, “We want to make people suffer”. It is not true. That was not what happened.

In closing, I must say that we cannot give fish we do not have. That is the sad truth. However, the proposed action will ensure, in the intermediate and long term, a much more optimistic future. Nevertheless, in the meantime, the government is obligated to help these people during the transition. These people need an income. They are also proud people who want to make a decent living.

I cannot thank enough all the members of this House who took part in this debate. It was an extremely constructive debate. We all have the same goal here, which is to ensure the well-being of our constituents and the fishers, and I think that we will be able to achieve that goal.

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• (2255)

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Madam Speaker, I am pleased to rise this evening to participate in this emergency debate on the closure of the cod fishery. I am certainly not pleased with the closure of the cod fishery but I welcome the opportunity to express my view on something which will affect a great many people in Atlantic Canada, whether in Newfoundland, Quebec, New Brunswick or Nova Scotia.

The fact remains that, be it in Newfoundland or Quebec, any worker who loses his job is one too many. It does not matter whether 300 workers are affected or a single one. That is what is happening with the moratorium on the cod fishery.

The government says it had no choice but to close the cod fishery, but I suggest that, had it taken its responsibilities, we might not be in the situation we are in today. If the government can be blamed for something today, it is for not taking its responsibilities, and not doing so over the course of several years.

The problem with this government is that it never had a long-term vision with respect to fisheries. It is always very short-sighted, even when it comes to deciding what to do this season or when to start fishing. I will give an example. The government has yet to make a decision about crab quotas for April, even if May is fast approaching. We are days away, yet the government has not made a decision on this fishery issue. It is the same thing every year. At DFO, decisions are made in a piecemeal fashion, and that is regrettable.

I think that is how we came to be in the situation we are in today. Sadly, there are people who will bear the brunt of this. Not only fishers, but also plant workers, communities and regions will be affected.

This evening, we heard the hon. member from Labrador lament that his government had not taken its responsibilities and say that he did not agree with the minister. I reach out to him to cross the floor, and to not only pay lip service.

I remember a former member from Newfoundland, George Baker—who is now in the other place, the upper house. When he was on the Standing Committee for Fisheries and Oceans, he did a tour all through the Atlantic region. He made recommendations and put his finger on the problem. He said that the problem was not only the local fishermen but also foreign fishermen who came to fish in our waters and who were scraping the ocean floor clean. I remember that George Baker was in a port in Newfoundland and said that the problem was that foreign ships were allowed to enter Newfoundland.

The Standing Committee on Fisheries and Oceans had presented a unanimous report to the House, with recommendations. I remember that George Baker did not even appear in the House because the Liberals in Parliament had voted against the recommendations. The hon. member for Miramichi, for example, voted against his own recommendations and then he became chair. He got a gift from the Prime Minister: he became chairman of the Standing Committee on Fisheries and Oceans immediately after that. That is what the Liberal Party does with the fisheries problem.

In the meantime, fishermen, plant workers, communities, municipalities and regions are paying the price, whether in

Newfoundland, Quebec, New Brunswick or Nova Scotia. As I said, when one person loses a job, it is a disaster for everyone.

Concrete, long term measures are required, along with a long term plan, as I said last night in the House with respect to the SARS problem, the disease that is causing trouble in Toronto, what they call atypical pneumonia. Come to think of it, there is no long term program for Canadians.

It is the same thing that is happening here with fishing. After that, today, questions are being asked. People wonder what will happen. The blame is laid on the fact there are too many seals or that people have overfished, but the government should show leadership. After that, it comes to tell us that it is everyone's fault, it says the fishery is going to be closed. That is what it did this week. I do not think this is the solution. It is absolutely not the solution.

• (2300)

Experts who were supposed to be doing their work did not get the money they needed to further their research. Scientists say that they did not have the money they needed to carry on. You know something. The best scientists were the fishermen themselves and they were taken away from the sea. The best policemen and the best coast guards were the fishermen, and they were just taken away from the sea. Those who could have helped the fishing industry were just taken away from the sea.

We are told that the government programs will help the workers and the fishermen for the next two years. I do not want to be pessimistic, but this will not happen. In 1987-1988, programs like those had been developed to try to solve the crab problem, but it did not work.

The workers do not want a program that will require them to pick up rocks or bottles alongside the roadside. They want a program that will put them back to work. They want to be proud to get up in the morning to go to work. This is the kind of program they are looking for, a long term program. They do not want a program just to be able to say that they benefit from a government program. They want a program that gives them a long term job, something they can be proud of. This is what they want.

There have been all kinds of programs. They said for example, "Right now, you are making a living in the fisheries, but, with all due respect, we will set up a literacy program. Some did not know how to read and write." This program was to last two years. When the program was over, they said, "Just go away, now, and do what you feel like. Leave and go some place else. Just go." That is what happened in New Brunswick, and that is what they did in all the areas where we had fishery problems. "If you are not satisfied, go elsewhere, find some work in British Columbia, Alberta or Ontario".

This is not what Newfoundlanders want. They have their pride. They want to stay in their home province and have more economic development in their region. That is what they want. People in Nova Scotia want to live and work in their province. They do not want to work in Ontario, Quebec or Alberta.

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The problem with the Liberal government at this time is that it says to people, "If you are not satisfied, just go somewhere else". This is not Canadian pride. What makes Canadians proud is when there is more economic development in their region so they can stay there, raise their family, educate their children, and grow personally in their community. That is what people want, but that is not what the government provides.

Recently, after the Marshall ruling, the government decided to buy back boats for crab fishers. It turned around and said, "Our responsibility is to buy the boats for the Indians. We will pay the captain \$2.5 million. No problem. The captain will get this money. But you, the fishers, you will get nothing".

Last week in Tracadie-Sheila, fishers back home occupied the DFO offices for two weeks and still no solution has been found. This problem has persisted for three years. This is a problem they created with nine fishers and could not resolve. Now, they think they can solve a problem affecting all of the fishers in the Atlantic. They cannot even solve a problem that affects nine fishers. They have laid them off and now they say they can solve the problem affecting all these other people.

I find this shameful. There is a lack of leadership in order to view the fishery over the long term. In the long term, I think that fishers would have preferred staying at sea with reduced quotas. They know there is less fish in the ocean. But they are not the ones who took all the fish. And, honestly, it was not the seals that ate all of the fish. There were fishers from other countries who were admitted to Canada and who overfished, who dragged the bottom and took everything. That is the problem.

• (2305)

What is going to happen is that fishers are going to sell their boats, they will all sell their "rigs", as they call them back home. That is what will happen. Then, big companies and big corporations will run the fishery and will pay people minimum wage. That is what will happen. It will be a dark day when that happens. That is the direction in which this government is headed.

The government has stopped listening to real people. It has stopped listening to the experts, the fishers themselves. They are the ones who have done this all their lives, who followed in the steps of their fathers and their grandfathers. They are the ones who know the ways of the sea.

With all due respect, Madam Speaker, it is not some person behind a desk with a phone and a pen who has this experience. It is not a paper pusher. The person who really understands the situation is the person who has been to sea and who has lived off the fishery.

When you speak to the people back home, whether it be in New Brunswick or elsewhere in the Atlantic provinces, you realize that they have this experience. These are people who have made their living off the fishery all their lives. When I went to Newfoundland, I toured the region and I met with fishers. They had solutions to the problem.

The problem is that the Minister of Fisheries and Oceans did not listen to them. His officials hide behind his desk for months and then make last minute decisions, while the fishers are telling them, "Make

your decisions, tell us what you want, so we can also tell you what ought to be done".

This is shameful. Today, at 11:10 p.m. on April 29, the Minister of Fisheries and Oceans has not even decided on the crab fishing plan. Or the plan for lobster. Every year it is the same thing. Fishers are fed up with this situation. They would like to have something for the long term. So let us look into a long term plan. Let us not wait until the last minute. Let us not wait until people are in the streets. Let us not wait for demonstrations. It is as if the government liked to see fishers fighting among themselves, liked to see families divided, liked to see brothers and sisters no longer speaking to each other. Liked to see sons and fathers no longer speaking. This is the problem in the fisheries.

I come from a mining background and have never seen this. I have never seen brother against brother. I can bear witness, this evening, to the number of fishing families that are divided. I hold the federal government responsible because of its position and the way it makes decisions. It makes them at the last minute, when people do not even know which way it is headed.

We talk to fishers who are obliged to make investments and do not even know what they are going to invest in. They do not even know if they are going to be able to fish this month. They invest and they spend money. I know of fishers in my area who have put out money to buy equipment for the cod fishery, have prepared their boats, have been working from the month of January until last week, not knowing which direction the Department of Fisheries and Oceans was headed in.

However, the Department of Fisheries and Oceans knew exactly where it was going, even though it did not tell fishers. Meanwhile, fishers were spending all their money to prepare their boats. Today, they cannot even go out to sea. It is a shame. It is a shame to see that the government always acts this way. This behaviour did not start last year or three years ago. The Department of Fisheries and Oceans has had a history of always waiting until the last minute.

Why not tell fishers what the plan will be for the next five years? Why wait until the last minute? It seems that the government does not understand that. I am sure that our colleague from the Magdalen Islands knows that what I am saying is true. I am sure that fishers from the Magdalen Islands, as well as those from the Gaspé peninsula, agree with me. How much money have they spent and now they cannot even fish?

I am sure that fishers from Newfoundland, as well as those from Nova Scotia and New Brunswick, agree with me. They had to invest in their fishing gear and, at the very last minute, the Department of Fisheries and Oceans told them that they could not fish because that fishery was going to be closed, or that quotas were not large enough, and so on.

S. O. 52

Fishers do not even know when the fishery will be reopened. There is no long-term planning. Everything is always done at the last minute.

• (2310)

But while these fishers are waiting for the other shoe to drop, so are plant workers and the community. The community is anxious to know what is going to happen. This is what we are going through in our area. And when I say that this is what we are going through, it is also what people are going through in Newfoundland. Things are no different there. It is what people are going through in Nova Scotia, in the Gaspé Peninsula and in the Magdalen Islands. The situation is the same in British Columbia. When the British Columbia fishers came to see us not too long ago to pass on a message, the situation was the same. Fisheries and Oceans was saying, "Officials are working on it and looking at what the experts are saying".

As far as I am concerned, the experts are the fishers themselves. You can never have a better expert than the worker himself. I used to be a miner and I remember a superintendent at the mine where I was working. He had a lot of college and university experience and he said, "I was in university for seven years and you have been working for 20 years. If we add that up, we have 27 years of experience". I thought he was very intelligent because he was putting the two together. He was putting education and experience together.

Sometimes, the best education is experience, the experience of those who have suffered, fished, worked and who know that this is how they will earn their living tomorrow morning, people from the community who also know that this is their bread and butter.

Why are there no community-based committees so that people can sit down and discuss this together? The NDP has often said that this is a community issue, that people must sit down and decide things together because they know that their future depends on it. Why can we not set up something like that?

I think that the best thing the federal government could have done would have been to sit down with people and give them some power, rather than centralizing people in big towers, here in Ottawa; it is impossible for it to see what is happening on the local level, be it in Newfoundland, the Gaspé, the Magdalen Islands, Nova Scotia, New Brunswick or British Columbia.

It is important to tell the federal government that the time has come to sit down with Canadians, with those who have the expertise and the knowledge to restore the fisheries to what they should be and bring back the fish stocks.

If the government is serious, it is time that it started telling governments of other countries to keep their little boats away from our shores so that we can protect our own fish.

Concerning seals, I am not saying that we must get rid of all of them. I do not agree with that. But we should have an action plan, we should find markets to be able to sell them. Anyone will tell you that to sell your cow or your fish, you must have a market and take the necessary action. It is the same thing with seals. We must work to find markets, actually sell them and take the necessary action.

At the same time, we must look at all facets of the problem, whether it is foreign overfishing or even overfishing by our own

people. At one point, we were not being careful. In 1988, when I got involved in the fisheries issue, I remember that boats were coming in in July. This is not the time to come in with boats full of fish such as cod. Plant workers wanted to report that to the Department of Fisheries and Oceans. Instead, they were refusing to go to the plant, to do their job and to face their responsibilities.

This is why I say that the government must show some leadership and it must do so everywhere. We must press charges where they should be pressed. Charges should be pressed all across the board. We must look at all this now and say what we should do.

In conclusion, I personally think that the best way to proceed is to work with our communities, with our fishers, with the people in our region, with the experts and with the Department of Fisheries and Oceans to find a long-term solution and to have programs; people must not be forced to pick up bottles in ditches to survive. We must create jobs to ensure that people are proud to live.

• (2315)

[English]

**Mr. Rex Barnes (Gander—Grand Falls, PC):** Madam Speaker, I am going to be the last speaker. I have been on the road since 4 o'clock this morning to get back to Ottawa to speak on this very important issue.

Of course we are supposed to learn from our history lessons throughout life, but it seems that for some reason or other the federal government has not learned its lesson. In the early 1990s when we had the major collapse and the TAGS program was brought in for our fishermen, it appeared that the process should work. But it did not work and of course today we are back again with the same problem.

The minister of fisheries had an opportunity to basically make history where no other minister has had the opportunity, that is, the minister should have listened to the all party committee report that was formed by all political stripes in Newfoundland and Labrador, including senators. We gave him a plan. As politicians who are close to the people, who know about Newfoundland and Labrador, who know the industry, we felt that we gave him a plan that would have worked if he had listened and implemented it. However, he chose not to. Of course as a result he has to live with that. And we, the people of Newfoundland and Labrador, have to live with it, unless the people tell him differently and rise up, unless they tell the minister that what he has done is not good enough and that we need better representation than what the federal government is giving the people in Newfoundland and Labrador.

We have a right to determine our own future. That future has been taken away from the fisher people of Newfoundland and Labrador. We now are more dependent on the federal government than ever before. We have the best resources anywhere in Canada with the fishery and with the oil. However, for some reason or other, Upper Canada seems to want to keep us back and not let us have what we rightly deserve.

Of course the fisheries minister is at it again. The federal government is at it again. Now what are the fisher people going to do? The fisher people in Newfoundland and Labrador have been down before. They are used to fighting back the battles. They are going to continue the battles, because they will rise again and be successful like they were in the past. We are going to make sure that the minister, the federal government and whoever is here understand that and are accountable to the people.

The government talks about having to conserve the stocks. No one in their right mind would say, "Take it all out". We know, and we were there to conserve the stocks. We are not stupid people. For some reason or other, the government must think that we are stupid people. No, we are intelligent people. We understand that this is our resource. We are not going to destroy our own resource. We are going to work together as a people to make sure we get the most out of our resource so that we can continue.

Fogo Island, an area I represent, put \$38 million into the economy of Newfoundland and Labrador last year, I believe. I know it is not cod we are talking about with this issue of Fogo Island, but it was \$38 million. I would say that for all the province it is \$100 million or more that the fisher people of the province are putting into the economy of the whole country, because they are not spending just in Newfoundland and Labrador, they are spending everywhere in Canada.

We have taken away their livelihood. What are they going to do? I will tell members what they are going to do. I will tell members what the people of Newfoundland and Labrador are saying. We have seen the burning of the flag, which I know we do not take too lightly, and we should not take that too lightly. People said only just this weekend that when people start burning their country's flag it shows that there is major unrest. With major unrest come problems for the country, and more than problems, because we have just seen what happened over in Iraq with the burning of the U.S. flag. The Iraqis did not want the U.S. there. If we want to use that analogy, Newfoundlanders and Labradorians do not want to be a part of Canada because it is not taking care of the people it is supposed to be taking care of.

• (2320)

As a result, they burned the flag as a symbolic gesture to let Canada know and to let the Prime Minister and everyone in the country know that they are very unhappy and unsettled about the future for themselves and the province.

We can look back and talk about what has caused all this. We can look at a gentleman who was called Captain Canada. We were all so proud in Newfoundland and Labrador when he took on the overfishing. We were very proud. I do not think there was a Newfoundlander who did not say that it was the first time the federal government had the guts to do what it should have done. But where did it get us? Nowhere. It did not get us anywhere. It did not get us anywhere because it was done for political reasons, for all the wrong reasons.

**An hon. member:** Just for show.

**Mr. Rex Barnes:** It was just basically to let the people know and put him out in the forefront for his own political gain. People are not

calling him Captain Canada anymore, but they should be calling him Captain Wimp, because lately he acknowledged it by writing an editorial going against his own people that he was the premier of. It is amazing. Where is this gentleman coming from? He has lost his way in life, I think. He should start researching and go back in time.

**Mr. Peter Stoffer:** Shame on Tobin.

**Mr. Rex Barnes:** He should be ashamed of himself.

People in Newfoundland and Labrador are very concerned that the federal government is not listening.

We look at the seals. We are going to spend \$6 million to understand what is going on with seals in relation to cod. Anyone in their right mind knows right up front what seals and the cod are doing, and if they do not they probably should get a bit of a history lesson about where it is going. Right now spending \$6 million on research in that area alone is a total waste of the taxpayers' money. The federal government has no plan and, as a result of that, it does not know where it is going.

I can tell the House what the federal government should be doing. How are we going to reduce that whole seal population? We know how seals are born. I would have had a lot more respect for the federal fisheries minister if he had said on the day he announced the closure of the cod that he would give the offshore boats a quota to hunt the adult seals. That would be the way to start reducing the population.

We are going to have to start with the adult seals, but not just slaughter of the adult seals for the sake of it. What we need is a plan of how we would use that product for the betterment of the people in the country and the world. Of course the hon. member for Bonavista—Trinity—Conception has said on numerous occasions that there is a way to do that and a way to use it. It is new technology. The meat is processed and used in a capsule form for people who need a supplement. It is a supplement that could be used for people all over the world, for children who are starving. We give all kinds of foreign aid to poor African nations. We send all kinds of money and food over there. This could be used as a supplement. We have the resource. All we need to do is use the money for technology and develop it so we could make a product to send overseas that would help people with regard to the powdered form, the protein.

However, we did not do that. I do not think we will ever do that because people do not want to do it for some reason or another. These are the things that we should be doing. We are sending all kinds of money over there, so why not send a supplement that could be in a powder form? The hon. member from Newfoundland and Labrador has talked about this several times. Memorial University in our province has the ability to do it, from what I understand.

But we do not want to do what is right. We either want to do things for political reasons, or because of foreign overfishing we do not want to tackle the true problem.

S. O. 52

● (2325)

As a result of that, we are more concerned with neighbouring countries than with worrying about our own people in our own country. What we need to do is one of the other things that was forgotten, which was unfortunate. When the minister closed the fishery he never looked at early retirement packages, he never looked at extension of EI for plant workers at the present time, and he did not look at licence buyouts. There are so many more options, and if they had sat down and listened they would have done a better job.

Of course we are here now trying to get the minister to listen to some common sense. Hopefully he will take what has been said in the House tonight and put some of it back into an action plan. At least now we can say he has listened. When he gave his speech tonight I know that a lot of MPs from Newfoundland and Labrador were actually shocked to hear that it is a done deal, that he does not want to talk about it anymore, that it is a done deal. But the done deal is not done until the people themselves say it is done.

Right now I firmly believe that there is enough support in the House to make sure that the minister does listen. That is all we are asking him to do: to listen, to revisit it and to do what is right for the people. I know he is in a hard situation, but we have to do what is right for the people, and that is not closing down the fishery. He should have listened to the all party committee report because we are the ones who put our necks on the line. He could have done what was right because we gave him the idea. We gave him the right thing to do for our province, the province we live in, the province we represent, the people we see every day.

We have seven MPs from Newfoundland and Labrador, and as far as I am concerned we have no political agenda like Captain Canada, Captain Wimp, had. We have seven MPs representing people in Canada, people in Newfoundland and Labrador, and our job is to make sure that our people get the best deal possible for themselves and the federal government gets the best deal that it can give. Right now the government does not have a total plan. It has a plan that is going to be there for 18 months. Where do we go after 18 months? I do not even know if the government knows.

Only recently a lady said to me, "Rex, I don't know what I am going to do". I said, "I do not think the federal government knows either, so let's sit back and see what we can figure out, see what the total plan will be". She started adding up the costs for her husband to get ready for fishing and she said, "With the cod gone, I do not know if we can afford to make our payments at the bank anymore". The cod used to give them enough to make a living, not a large living but just a living to get them on the low scale for EI for the winter. As a result of this plan, she does not know where she is going.

Another gentlemen told me, "They have taken my life away". I said, "They will only take your life away if you let them take it away from you. We need to stand firm. We need to stand strong and we need to send a message to the federal government that we are not taking it. We are going to fight".

And if it means that we are going to have to block highways, as they have already done in Newfoundland and Labrador, if they have to come to Ottawa and make sure that the government gets the

message, the government is going to have to listen, because the people are not going to take it anymore. As it is, they are hurting today. They are not going to take it sitting down anymore. They are going to fight back like they have never fought before.

● (2330)

I had a meeting in St. John's after I was elected. There is a plan. I firmly believe this and a lot of people I talked to firmly believe this too. This was not mentioned tonight. There is a plan. The federal government is like a snake in the grass; it is very slimy about it because it has a plan but it is not telling anyone about it. The plan is to get rid of non-core fishermen in the province because it was not done in 1991-92 right up to the year 2000.

The first closure was supposed to get rid of people in the fishery but it did not happen. As a result, the majority of the people who are going to be adversely affected from the closure of the cod are people in Newfoundland and Labrador who are classified as non-core. Non-core fishermen are basically fishermen who hold a groundfish licence, probably for lumpfish, lobster and cod. If we take cod away from them, they will not survive because that is the only fish item that managed to get them their EI.

The core fishermen are going to hurt as well but the core fishermen are not going to hurt as badly as the non-core. Of course the plant workers depend on the cod to come ashore from the core fishermen and the non-core are not going to have work. They are going to be adversely affected.

There is one group no one ever mentions and that is the businesses which depend on fishermen to sell their product, to spend their money and basically to depend on people to continue to spend money in their communities. Businesses are going to be adversely affected. Businesses in small communities are going to be forced to close because of it.

It has been said tonight that Joey Smallwood resettled people. If that is what the government is looking at, to make life so miserable in rural Newfoundland and Labrador that it will force people away from their normal style of living—

**An hon. member:** At least admit it.

**Mr. Rex Barnes:** —at least admit it and tell them that is what it wants.

If that is the problem, let us deal with it head on but do not go around behind the scenes doing these little things which turn into big things and still they do not know where they are going.

There has been a lot said here tonight. I know there will be a lot more said, but at the same time we have to remember one thing. Families are going to be hurt. This is the personal side. Businesses are going to be hurt. Communities are going to be hurt. I do not have the answers to help them out. I do not think a \$25 million package is going to help them out as it should. It will help out in the short term but not in the long term.



I firmly believe if the federal Minister of Fisheries and Oceans does not revisit the decision, the minister should resign his post because he has not done justice to the people of Newfoundland and Labrador. The six MPs, excluding the minister for ACOA because he is in cabinet, but he should follow the six Newfoundlanders and Labradorians and stand firm and say this is not good enough for our people. We want this looked at again to come up with a different plan.

What should be implemented is the all party committee plan. We believe that is the plan that is going to work. We spent time preparing it. It is time the federal government started to listen to the people who know what the people feel they deserve. We know the people of Newfoundland and Labrador. If it does not work out, then it will be our fault. We will have failed. But right now the minister has failed.

*S. O. 52*

I am thankful for the opportunity to speak. I know that I am the last speaker in the debate. I tell clergy people all the time to say a prayer for Canada, but say a prayer for the fishermen and the minister. He is going to need every prayer we can give him because this is not over yet.

● (2335)

[*Translation*]

**The Acting Speaker (Ms. Bakopanos):** I am satisfied that the debate has now been concluded and I therefore declare the motion carried.

[*English*]

Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 11:37 p.m.)

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