



CANADA

House of Commons Debates

VOLUME 140 • NUMBER 085 • 1st SESSION • 38th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, April 19, 2005

—

Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

All parliamentary publications are available on the
"Parliamentary Internet Parlementaire" at the following address:

<http://www.parl.gc.ca>

HOUSE OF COMMONS

Tuesday, April 19, 2005

The House met at 10 a.m.

Prayers

• (1000)

[*Translation*]

PRIVILEGE

COMMENTS BY HON. MEMBER FOR MONTMAGNY—L'ISLET—
KAMOURASKA—RIVIÈRE-DU-LOUP

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I want to respond to the question of privilege raised by the hon. member for Gatineau on Friday, April 15.

During the debate on the Bloc Québécois motion on April 14, 2005, when I was expressing my concern over the fact that sponsorship money may have been used for election campaign purposes, it seemed as though I was directing my comments at the hon. member for Gatineau. That was not my intention.

I withdraw any comments that may have offended her and offer my apologies.

• (1005)

The Speaker: I thank the hon. member.

ROUTINE PROCEEDINGS

[*Translation*]

CANADA'S INTERNATIONAL POLICY

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, Canada's International Policy Statement—A Role of Pride and Influence in the World.

* * *

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am happy to table today, in both official languages, the government's response to four petitions.

COMMITTEES OF THE HOUSE

AGRICULTURE AND AGRI-FOOD

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, I am proud to present on behalf of the committee, in both official languages, the third report of the Standing Committee on Agriculture and Agri-Food entitled "From a Management Crisis to Becoming Better Crisis Managers: The 2004 Avian Influenza Outbreak in British Columbia".

I might just add that this outbreak was a first in Canada, a great learning curve, not only for the industry but for all stakeholders, including the CFIA. I believe the exercise that was undertaken in Abbotsford was a worthwhile one, not only serving government but serving the primary producers in this case, and of getting to the bottom of this issue. The recommendations contained in this report speak very well to the kinds of things we heard on our visit there.

STATUS OF WOMEN

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, I have the honour to present today, in both official languages, the second report of the Standing Committee on the Status of Women.

I am pleased to advise the House that the committee began a series of consultations with organizations to prioritize the issues that were most important to Canadians. These groups told the committee that many programs and policies over the past decade have had a negative impact on women.

The committee had a broad consultation with government officials and with members of the Treasury Board and the Privy Council Office, and we found that the federal government departments differ significantly in their ability to do gender based analysis.

The committee proposes that it is time to implement a new way of conducting the business of policy making in this House, a new way which gives increased attention to gender differences so that all Canadians benefit equally from legislation, policies and programs.

In its report, the committee outlines a comprehensive approach to ensure that gender based analysis is carried out throughout the federal government. It envisions a multi-partner effort whereby individual departments are involved. Status of Women Canada has a lead role, and the Privy Council Office, the Treasury Board Secretariat and Finance Canada coordinate and enforce accountability mechanisms.

Routine Proceedings

Pursuant to Standing Order 109, the committee has requested a comprehensive report from government on this report.

* * *

●(1010)

STATE IMMUNITY ACT

Mr. Stockwell Day (Okanagan—Coquihalla, CPC) moved for leave to introduce Bill C-367, an act to amend the State Immunity Act and the Criminal Code (terrorist activity).

He said: Mr. Speaker, I am pleased to introduce today the victims of terror compensation bill. This would amend the State Immunity Act and it would allow claims in Canada against foreign states which sponsor any of the groups that are listed as terrorist entities. By permitting this, it would allow those who have been hurt, injured or damaged in any way by acts of terrorism or suffered damages to actually pursue and take civil action for compensation.

The bill has been developed cooperatively with the Canadian Coalition Against Terror, an organization that is made up of Canadian terror victims and also community activists.

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

* * *

COMMITTEES OF THE HOUSE**HEALTH**

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, I move that the ninth report of the Standing Committee on Health, presented to the House on Friday, April 15, be concurred in.

This is a very important motion. The committee has discussed this issue and I must give accolades to my hon. colleague for Mississauga South. I salute him for his conviction and determination. For over a decade he has been working on trying to get warning labelling for alcohol. It is not so much because of the warning that we have to salute the hon. member, necessarily, but for his determination in his attempt to bring awareness to this issue.

The member for Mississauga South introduced Bill C-206 and the health committee took a serious look at this piece of legislation. The committee was looking for a more comprehensive program. Because of that, we listened to a number of witnesses from across the board and across the spectrum of industry and health groups and so on to understand what we should be doing with regard to this piece of legislation.

Before I get into the details, I would like to say that I will be splitting my time with the hon. member for Oshawa.

When the committee took a serious look at this, we had to ask if we should do something with this or not. We concluded that the bill should not go ahead the way it is written. There was no testimony that would necessarily support moving ahead with this bill in a way that would do what the mover of the bill intended, which is bring awareness to individuals who are using and consuming alcohol to the point where they would refrain from using alcohol, which in turn would allow us to eliminate the terrible scourge of fetal alcohol syndrome in the country. The motion was eight to one, which is fairly unanimous.

Why then would we bring this motion to the House and actually pass it at committee? I believe that the newspaper reports on this issue, most of the people who work in the Department of Health and most industry people have the wrong idea of the health committee regarding this issue. It was not that we disagreed with the issue. It was that we wanted to do something significant which would actually accomplish the goal and the intent of the mover. The goal is a notable one and is worthy of consideration.

What the committee decided was to have the House concur with the motion. We had the Department of Health come to committee and report to us and that was the most startling piece of testimony the committee heard. We heard that the Department of Health was not going to report on a comprehensive program at all in order to accelerate the work the department said it has been doing for a considerable number of years with regard to fetal alcohol syndrome. The department said it would not lay a comprehensive plan before the committee or the House or even the minister .

This is not the message we need to send to the Department of Health. It is not the message we need to send to the Minister of Health. What we need to send to the Minister of Health through the power of this House is a message to impress upon him and the department the need for that comprehensive program.

It is in light of this that we bring forward our motion. I will read the motion into the record because members must have all of the wording of the motion to understand exactly what we are saying. The motion is as follows:

—that the government present a new strategy for the prevention of Fetal Alcohol Spectrum Disorder to the Standing Committee on Health, to be developed by Health Canada and stakeholder groups, by June 2, 2005.

Many members in the House will say they cannot support this because we are asking the department to come up with something by June 2, but let us look at the testimony that came from the Department of Health to the health committee. The department said it has been working on this for a number of years. The department said the work was pretty well finished.

In fact, the testimony says that the department is much further along on this than it is on many other areas of alcohol use. When we look at the testimony given in committee and at what the department has said it is doing, compared to what it has said it is going to do, we understand very clearly that we must have some action.

●(1015)

We do not need more studies. We do not need more consultation. This has been consulted to death. We understand that we have a serious problem. Nine out of 1,000 babies born in this country are born with fetal alcohol syndrome. It is a significant problem. Fetal alcohol syndrome is very serious. It affects hundreds of children born each year. They begin life with a serious strike against them and it is something they have to live with for their entire lives.

We need to do something about it and Health Canada can do something about it, but only if we give officials the pressure that is needed to be able to push them to action. This motion that I am asking the House to concur in will do just that. It will impress upon the Department of Health and the minister the need to actually move to action.

Routine Proceedings

I can already hear the other side suggesting that we cannot ask a department to do something within that short a time period. We certainly can because we know that it has the ability to do it. We know it is a long way along on this issue already. We know that this is just a matter of sitting down and tweaking.

We are not telling the department it has to actually do anything except come up with a plan of what it is going to do to be able to accomplish the goal of the intent of the mover of Bill C-206. That is very easy to accomplish. It is something that needs to be done, because failure to do it means that we will do nothing. Doing nothing on this issue is not appropriate for the legislators of the House, for people who come together to make the laws of this land to protect society, from itself in many cases and from issues in society that are harmful.

This is a motion that I believe everyone in the House should think very seriously about; I was going to say soberly about, but I do not want to use the pun lightly. I do want to impress upon the House how serious a problem this is and how important it is for us to look at it from all angles.

We did hear from the alcohol industry, which asked why we should put all of our attention on labelling. It would cost it a significant amount of dollars and dollars are not going to come out of thin air, said the industry; they can come out of either the consumers who use it or the already existing programs that deal with fetal alcohol syndrome disorder.

We did not think it was appropriate for us to just say "let us put a label on every bottle" and then walk away from it thinking we had done the politically correct thing while not actually accomplishing any good. I do not think that anyone in the House necessarily wants to play politics with an issue this serious. What we really want to do is accomplish the goal, which is to prevent individuals from having fetal alcohol syndrome. We heard testimony about how devastating it is when pregnant women are involved with alcohol. At each stage as the fetus is developing, the alcohol retards and destroys the growth pattern.

The argument was about whether this happens in the early days of pregnancy, the middle or the end, but the reality is that it happens in all of these stages. The testimony was compelling enough that we should impress upon anyone who has the potential of being pregnant to leave alcohol alone, to not become involved with it. It is also important to mention that a woman who is pregnant and has one or two drinks should not become alarmed. What this does say is that we should leave it alone if at all possible so that we do not retard the development of the fetus.

How do we win on these kinds of issues? We win the same way we won on drinking and driving. We have not won completely but we certainly have made a paradigm shift in society. Now if someone drinks at a party and wants to drive, people stop that person before he or she gets into that vehicle, whereas 30 years ago they would help the person into the car. That was a paradigm shift. Peer pressure becomes a powerful thing. We need to use that same pattern when it comes to fetal alcohol syndrome and mothers who are drinking.

● (1020)

My time is nearly up but I do want to impress upon the House how important this motion is, because it will be debated here for three hours and we will actually go to a vote in the House. Votes in the House should mean something. When they mean something, the department and the industry should take the nod from what the House is saying. We have a responsibility here and I ask members to consider that as they vote for this motion.

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, I thank the member for his speech in support of the intent of the motion, unanimously adopted by committee. There is some wording in the motion which I would like him to clarify.

I know his understanding of it, but the motion could appear unclear to individuals. I agree with the member that the department has done some work and that we want the presentation of that work and the plans for the future to deal with FASD, but I think the speaker would agree that it should not be confused with the comprehensive strategy. A comprehensive strategy on alcohol abuse would include other elements like the operating of machinery, general health concerns, family breakups and all the other problems that can arise from the abuse, misuse or overuse of alcohol.

The motion states:

—that the government present a new strategy for the prevention of Fetal Alcohol Syndrome Disorder to the Standing Committee on Health, to be developed by Health Canada and stakeholder groups, by June 2, 2005.

I understood from his speech that the member does not expect there to be a full consultation and the developing in consultation with all the stakeholders of a completely new strategy by June; it would be a continuation of the work the department has been doing.

Mr. Rob Merrifield: Mr. Speaker, I do want to clear this up. The drinking of alcohol causes a number of problems. We have to do something about the comprehensive strategy on drinking and abusing alcohol. It has to be part of this. Drinking and using medication of any kind also has to be part of this.

We could have said to the Department of Health that by June 2 we wanted a comprehensive plan on all those items, but we do not want to lose focus. We want to focus on something for which the department came to committee and said, "We are so far along on this. We have actually been working on this for years". The department said that it was ready to do something with regard to fetal alcohol syndrome. I am just taking the department's words and applying them here in asking the House to make the department put a comprehensive study and plan, which could or could not include labelling, before the House by June 2.

I am saying that because the departmental officials have said in committee that they actually can accomplish this. Did they say they could do it by June 2? No. They said sometime this summer. We know that nothing really happens in a department in the summertime. We want this done by June 2. It is achievable. There is nothing that actually focuses action more than a timeline and a directive. We can give them the directive. The timeline is in the motion. The Department of Health can accomplish it. Let us get on with making that happen.

Routine Proceedings

●(1025)

Mr. Jim Gouk (British Columbia Southern Interior, CPC): Mr. Speaker, there were a lot of witnesses at committee. In fact, I ended up being one of them. I did not realize at the time I requested it that it is somewhat unprecedented for a member of Parliament to appear as a witness on a bill like this. I did so because it is a very important issue, both in terms of my representation of a region with a lot of wineries that would be impacted by this and as a person who supports the intent behind the motion that we have to deal with things like fetal alcohol syndrome. It is very serious and needs our concern.

However, with all those witnesses who appeared, we heard a tremendous amount of evidence. I used some figures when I made my presentation at committee. As it happened, the departmental officials were there and backed up those figures. What they said is that right now the department spends about \$3.3 million a year on education to warn people and make them more aware of fetal alcohol syndrome, the need to abstain from alcohol and a number of other measures that they need to take. They also confirmed that the compliance costs for the department, the enforcement costs if this motion were to pass and the labelling were to come into effect, would be something in the neighbourhood of \$27 million over a five year period.

Mr. Paul Szabo: Over five years.

Mr. Jim Gouk: If the hon. member had listened, he would have heard me say that it is over five years. He probably was talking over me and that is why he did not hear me say the very thing he wanted me to say.

Twenty-seven million dollars over five years is a lot more than the \$3.3 million the government is spending now. I wonder if the hon. member could tell us if we heard witnesses suggest that this money could be well spent on education as opposed to the enforcement of a labelling program.

Mr. Rob Merrifield: Mr. Speaker, as my hon. colleague has suggested, he did come before the committee, as did many others. He was representing the small breweries and vintners, and had a specific focus on it. He was a little concerned, certainly with the cost and impediments of just putting a label on.

As he suggested in his question, what is that going to do as far as it concerns enforcement and the price of enforcement? We did hear that enforcement was going to be costly. The comprehensive program or strategy that we are looking for may or may not have labelling. It may have some labelling and not all bottles labelled. The argument is made with a bottle of wine, do we put a label on a bottle of wine since most people drink wine from a glass that does not have a label? All of those concerns were talked about.

It is important that we have a comprehensive strategy that actually shifts the paradigm, a paradigm in society, so that we understand the intense problem of individuals who are pregnant and drinking. That is where this motion is going and that is why I ask members to consider it.

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, it is a real pleasure and an honour for me to speak on this topic.

I would like to commend the member for Mississauga South for fighting for this issue for so long. The fight against the negative effects of irresponsible alcohol use, fetal alcohol spectrum disorder and drunk driving to name only two, has been inspirational. He deserves much credit for the momentum building toward a comprehensive fetal alcohol syndrome strategy.

It has been estimated that nearly 1% of live births are children with fetal alcohol spectrum disorder. These statistics are certainly alarming, as many families and women are not getting the warnings or are failing to be properly educated about consuming alcohol during pregnancy.

Consumers of alcohol must choose if they want to drive or operate machinery. They have to choose to consume the alcohol, knowing that it may affect their health. However, a child born with fetal alcohol spectrum disorder did not choose to have this disorder and perhaps the parent did not have the opportunity to choose as well. However, children born with fetal alcohol spectrum disorder will have to deal with the disorder for the rest of their lives.

What are the effects of fetal alcohol spectrum disorder? Health Canada has included some as being: intellectual defects and learning disabilities, hyperactivity, attention and/or memory deficits, inability to manage anger, difficulties with problem solving, pre-natal and post-natal growth deficiencies, early school dropout, alcohol and drug abuse problems themselves later on, problems with securing and maintaining employment, homelessness, trouble with the law and mental health problems. Indeed, the latter are very serious and a public threat.

The Public Health Agency of Canada has further estimated that lifetime extra health care, education and social services, and costs associated with the care of an individual with fetal alcohol spectrum disorder are \$1.4 million U.S.

Other studies have suggested that over 25% of those behind bars may have been exposed to alcohol in the womb. I learned so much about this disorder in committee. A statement was respectfully submitted to me by Sheila Burns, the project coordinator of Fetal Alcohol Spectrum Disorder in Durham region. She said:

Since the identification of the teratogen Thalidomide, the medical community has been examining the damage caused by alcohol exposure to the developing fetus. Research is now clear that even moderate drinking during pregnancy can cause damage. No culture, no socio-economic group is spared.

Health Canada reports 1:100 Canadians have some level of damage caused from in-utero alcohol exposure. The results: high suicide rates, family breakdowns, criminal behaviour, drug and alcohol addictions, mental illness and homelessness. The implications are staggering and the toll enormous. The disability is life long and cannot be cured. It can be managed, but only at a huge cost to our society. The disability is preventable.

Durham region has been working hard to coordinate awareness initiatives, promote education and coordinate support services. They have longed for more support and warning labels are a part of that.

Routine Proceedings

We have learned in the health committee that we need a comprehensive approach. We, in the Conservative Party, wholeheartedly share the concern of the member for Mississauga South about fetal alcohol spectrum disorder and drunk driving. The party supports the intent of the member's bill, but not the bill itself. Put simply, there is a more comprehensive way and a better plan to address the problem it seeks to solve.

The eighth report of the committee recognizes the ineffectiveness of alcohol labelling, highlights the costs associated with it, and recommends that the House proceed with a comprehensive fetal alcohol spectrum disorder strategy that may or may not include warning labels.

The Standing Committee on Health voted almost unanimously in favour of a more comprehensive strategy. The eighth report contains reasons why the committee recommends that the label only strategy proposed by Bill C-206 be replaced with new comprehensive fetal alcohol spectrum disorder and drunk driving strategies.

All witnesses and committee members agreed that fetal alcohol spectrum disorder and drunk driving are serious problems that demand action. We know that these issues cause untold suffering on those who are affected by them.

• (1030)

However, very little evidence was put forward to indicate that alcohol warning labels in themselves are effective at preventing either fetal alcohol spectrum disorder or drunk driving. Labelling certainly works for a variety of purposes. It will help improve awareness. However, for fetal alcohol spectrum disorder and drunk driving, given the intended targets of messaging, labelling by itself is ineffective.

The implementation of Bill C-206 would have cost the federal government significant dollars to implement and maintain. The diversion of these resources into labelling at the expense of targeted programs would not have been cost effective. The implementation of the bill would have likely raised trade and charter questions, which would have imposed further costs to the government.

Many witnesses called for a comprehensive fetal alcohol spectrum disorder strategy. They did not feel that the first dollars should be committed to just this labelling initiative. There was consistent concern that if the government moved ahead with labelling, it would be able to claim that the problem was addressed and would not feel compelled to do what is really needed. That is why I am so encouraged to see this motion and how it is unfolding today.

The cost of labelling would have crippled many smaller breweries, distillers and wineries. For an economic impact, this was significant and we had to address these concerns.

What surprised me was a leaked cabinet document which indicated that Health Canada is aware of the ineffectiveness of labels in themselves in preventing fetal alcohol spectrum disorder and drunk driving; but in the letter, Health Canada acknowledged that not to support Bill C-206 would look bad politically.

This is no way to craft legislation; this is no way to govern. Laws should not be justified based on how they will be perceived; laws should be based upon sound research and well-proven facts.

The majority of witnesses who appeared before the committee told members that established targeted programs currently in place to address fetal alcohol spectrum disorder and drunk driving have a much better chance of success than warning labels alone.

The Conservative Party of Canada believes that a comprehensive strategy that may or may not include warning labels is the best way to tackle fetal alcohol spectrum disorder. We therefore support the motion to concur in the eighth report of the Standing Committee on Health.

The Conservative Party of Canada will demand that the alcohol beverage industry play an active role in this new strategy. Although the industry has played a part in previous initiatives, it must do more and will therefore be called upon in taking a leading role in developing the strategy. The committee supported Mr. Merrifield's motion:

Pursuant to Standing Order 108(2), and a motion adopted by the Committee on Thursday, April 7, 2005, your Committee recommends that the government present a new strategy for the prevention of Fetal Alcohol Spectrum Disorder to the Standing Committee on Health, to be developed by Health Canada and stakeholder groups, by June 2, 2005.

This motion will be tabled. The health minister has indicated he is serious about preventing fetal alcohol spectrum disorder and he has told the House of Commons that his department is working toward a comprehensive strategy for fetal alcohol spectrum disorder based on proven and established best practices.

The Conservative Party of Canada hopes that Health Canada will develop, release and implement its strategy as soon as possible. Mr. Merrifield's motion will—

• (1035)

The Deputy Speaker: I would remind the hon. member to use the name of the riding during his debate.

Mr. Colin Carrie: Mr. Speaker, the member for Yellowhead's motion will hopefully accelerate this process.

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, I want to thank my colleague for supporting me. He certainly was a valuable member in the committee.

It was obvious to us as we listened to the witnesses, and as we moved into the debate and listened to all sides of the argument, just how important an issue this is and how important it was for us to send a solid message to the department.

I am wondering if my colleague would comment on his perspective of what he heard in committee with regard to the department. It is important for us to really highlight this because that was the turning point in the committee. When the Department of Health actually presented the issue before the committee, we realized that the department was just going through the motions. It had been playing with this for two years at least, had a committee struck, was doing a significant amount of work, and yet was not going to come forward with any kind of a report.

I wonder if my colleague would comment on what he heard from the Department of Health and how this motion would be seen by them.

Routine Proceedings

Mr. Colin Carrie: Mr. Speaker, as a new member, one thing I realized in the health committee and became quite frustrated with was I really did not understand how government worked. I saw how bureaucracies put programs in place just for the sake of it without an implementation plan or any plan to put it into effect in any reasonable amount of time.

I learned that this had been studied already and I saw the inaction on fetal alcohol spectrum disorder. As a Canadian, I find that disturbing. It is very important for the government and Health Canada to look at all the issues and protect the health of Canadians. To see the delay, when we knew programs were already in place, some put in by the breweries themselves, was disturbing. British Columbia has put programs in place, and labelling is not part of that, which have helped decrease the significance and severity of this.

To use a word that has been overused lately, the government is dithering on something that is so important, something of which many Canadians do not realize the impact. One in a 100 Canadians are born with this disorder. It was a big surprise to me. Hopefully with this motion we can move it forward a more quickly.

• (1040)

[*Translation*]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, I listened closely to my colleague's speech. As he said so well, the current government is procrastinating a great deal when it comes to health for Canadians and Quebeckers.

In that case, does my colleague not think it would be better for the provinces to develop their own fetal alcohol syndrome strategies that would respond to their own problems? Would this not be better than developing a strategy that might never be implemented because it comes from the federal government?

Mr. Colin Carrie: Mr. Speaker, I want a strategy for all the provinces in this country.

[*English*]

It is very important for the federal government to work with every province to develop a strategy. This problem is not just a provincial issue. It is a problem across the entire country.

We have learned through the committee that different things are happening in different provinces. As a federal government, we can learn from the initiatives that have been taken. In Quebec, for example, *Éduc'alcool* is moving ahead a little quicker than some other areas in Canada. I mentioned that British Columbia was moving ahead quicker than other areas of Canada.

We have to address this as a Canada-wide program, through consultation with all provinces, so all Canadians can benefit.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to rise to speak to the concurrence motion, the effect of which is to ask Health Canada to table with the House a comprehensive strategy to address fetal alcohol spectrum disorders. I very much support it and I will do as much as I can to ensure that other members in the House support the initiative. It is very important and it is time.

Let me talk very briefly about fetal alcohol spectrum disorders. Maternal consumption of alcohol during pregnancy is the leading known cause of mental retardation in Canada. As was indicated earlier, about one out of every 100 live births results in a birth defect. That means, and testimony has said, that up to 5,000 children each year will suffer from alcohol-related birth defects. It is very important that we understand the enormity of this and the attendant costs.

Here are a few of the secondary symptoms associated with FASD. Sixty per cent of these children will drop out of school or be suspended. Sixty per cent will get into trouble with the law. Fifty per cent will go to jail or be put in an institution. Fifty per cent will show inappropriate sexual behaviour. Thirty per cent will become abusers of drugs or alcohol. Eighty per cent will be unable to live independently in adult life. Eighty per cent will have problems with employment,

Binge drinking is the worst kind of risk to an unborn child. Binge drinking is more than four drinks on one occasion. It is not being an alcoholic. Binge drinking is something that probably everyone in their adult lives has encountered. It is like going to a wedding, or an anniversary or a picnic and over that occasion having four drinks.

Back in 1992 when a report was before Parliament, the then health minister and the Department of Health said that they had evidence that one drink alone could negatively affect the heart rate and respiration rate of the fetus. As well, the evidence has shown that days 15 to 22 during pregnancy is the most vulnerable period in fetal development. The health committee spent years studying reproductive technologies. It is well aware that up to day 14, research on embryos is permitted, but past day 14, even the medical profession says that the embryo cannot be touched. It is called the primitive streak. This is when all our basic features and organs get the trigger points where they start and are set for the rest of our lives.

Fetal alcohol syndrome, in its full blown manifestation, involves facial and cranial deformities. It means that during this period, when one's features are established, which is after day 14, very early in pregnancy when nobody knows they are pregnant, is when the damage is done in many cases.

The issue with regard to FASD is that if pregnancy is possible, one should abstain from alcohol. The reason for that is that 50% of pregnancies are unplanned. This is the message for women. If they are in their birthing years, if they are sexually active, if they are not using protection, they should abstain from alcohol; 100% abstinence, not just a bit. The problem is the message that has gone out in the past is that one should limit or cut back. People have not been informed that even small amounts of consumption at the wrong period of time may have tragic consequences to the unborn child.

Routine Proceedings

Over the last 10 or 11 years of my career as a member of Parliament, no issue has affected me more deeply and involved me more fully than the issue of fetal alcohol syndrome and fetal alcohol spectrum disorders.

• (1045)

In 1992 the Standing Committee on Health actually prepared a report called, "Fetal Alcohol Syndrome: The Preventable Tragedy". The issue of whether Health Canada has been doing its job is relevant to what timeframe? Let me explain to the House what happened in 1992.

The subcommittee recommended requiring health warning labels on the containers of alcoholic beverages, just as the U.S. had introduced in 1989. It reported that the alcohol industry was opposed to health warning labels and every other witness was supportive of these labels. The brewers industry position was that awareness was very high, but labels were not effective and the funds would be better spent on targeted programs.

If we look at the transcripts and testimony of what we did in 1996, when the bill before the health committee and again this year, we find that the results and observations are precisely the same. The industry is on one side and the health people are on the other. Everybody is aware that there is risk associated with alcohol consumption and the money would be better spent on something else. The presumption is somehow that labels will operate in a vacuum. That is nonsense. We obviously do something now, but it is not enough because the impact on unborn children still is very high.

In 1992 the non-industry witnesses testified that warning labels should be part of an overall strategy to raise public awareness. We have heard that before. They also based their support on a public's right to know if the use of the product carried certain risks. Experts testified that information on product labels and the nature of the package could enhance the overall product offering and that the product label would play the role of salesmen and for advertising. The label on the product is the thing that is promoting at the point of sale.

Warning labels on the other hand would be a form of de-marketing. All of a sudden they would intrude upon that sacred space where the fun theme of beverage alcohol is being promoted. The product label is part of an extremely delicate balance of a product mix which is based on lifestyle and aspirations. Beverage alcohol advertising is all about that. In 2002, the last year reported, the beverage alcohol industry made a profit of \$700 million. It spent \$660 million promoting its products. Today Health Canada is spending \$3.3 million on fetal alcohol syndrome.

Can we believe that \$3.3 million a year has any hope in hell of competing against \$660 million a year promoting the use of a product? We need to do better. The concluding statement of the subcommittee was as follows:

The design and presentation of a warning label is vitally important to its effectiveness. The Sub-Committee has examined several examples of warning labels on alcohol products from the United States. In all cases, the warnings were generally inconspicuous and difficult to read. It is essential that warning labels adopted for Canadian products not emulate the United States examples, but be carefully designed for maximum visibility and impact. We believe that warning labels, properly designed and printed, are an essential part of a comprehensive strategy for increased

public awareness and education about the risks that maternal alcohol consumption poses for the foetus.

The report from 1992, the year before I became a member of Parliament, has stated the position that the House learned again in 1996 and again this year. Nothing has changed.

Let me deal with the issue of what a label might do. The program, Motherisk, is part of the Hospital for Sick Children. Let me quote from a paper about labelling from January 2004. It says:

It is interesting that the strongest opponents of alcohol warning labels are industries manufacturing alcoholic beverages. These industries first denied the existence of FAS...

In 1996 I was on CTV being interviewed with the head of the brewer's association and he denied the existence of FAS. However, if we look in its report to the committee in 2005, it says that it has been involved in FAS for decades. There is a contradiction there. The article from the Hospital for Sick Children confirms that. It says that the industry first denied the existence of FAS "and later did very little to prevent it". It says:

The main reason for the industry to oppose warning labels is their fear of losing revenue. Their claim that they oppose the label because it is not an effective method of FAS prevention contradicts their lack of efforts to find other effective means.

It is business.

• (1050)

I can remember when we discussed tobacco labelling. Everyone wondered if labels would be effective. What happened with tobacco labelling? Health Canada saw some action once the labels were put on. Once we put in the comprehensive strategy that linked the product to the strategy and the strategy to the product, suddenly the use of tobacco went down, particularly among the targeted groups.

In 2000, Health Canada commissioned Environics to do a study on labelling and fetal alcohol syndrome. It was an excellent report and can be found on Health Canada's website if anybody wants to see it. Environics basically concluded that there were about four or five target groups whose behaviour was out of line with the facts that we knew about fetal alcohol syndrome. Environics laid out a comprehensive strategy on how to communicate with these people.

Every target group involved one common element and that was public health information found in doctors offices, in hospitals and in clinics where people get their health needs dealt with. It makes sense. The rest of the program had to do with targeted television marketing, with magazines, with literature and other areas.

One of the things the report said, however, and it was concurred by experts, was that the beverage alcohol industry should not be part of it, that it has to be divorced from the activities, and that we did not need the beverage alcohol industry money. As a matter of fact, as was confirmed in testimony before committee, brewers spend \$2 million a year on their partnerships and responsible use message when they spend over \$300 million a year promoting their products. They do not mind doing certain things as long as they do work.

Routine Proceedings

It is important that we understand that labelling and a comprehensive strategy go hand in hand.

Beverage alcohol is not just another beverage. It is not milk, juice or pop. It is a drug, but it does not say that on the product. How can we not have at least that first starting point indicating that it is a consumer product that can harm us if misused. Beverage alcohol is the only consumer product that could harm us if misused but does not warn us of that fact.

The public has a right to know and the industry has a duty and a responsibility to inform. That is why I am supportive of the motion to encourage Health Canada to get this comprehensive strategy in place. The Environics study back in 2000 showed that it already has the foundation for its strategy. We have all of the experience that Health Canada attained through its battle with the tobacco industry on tobacco labelling.

That was successful. It was an integrated strategy of putting the information on the package to caution, to inform and make the consumer aware. All of the other things that were happening, not just within the Government of Canada but also province by province and territory by territory, were complementing and working with this. Synergies were involved. No one item could ever be clearly demonstrated to have been effective because the only way to prove that something is effective is to hold everything else constant while at the same time one thing is being changed and then allow that to be in place for some reasonable period of time then do a study of it. Maybe five years later we will be able to make a determination. It is not possible to hold the world constant while one thing is changed.

It would be premature for members to somehow suggest that labelling does not work. I do not think anybody can prove that anything really works without having control over all the elements that affect behaviour.

I do not believe anybody really expects one item to change somebody's behaviour. However I do think they would expect that one item would at least contribute to information and awareness so that it could be linked to other things that happen.

•(1055)

That was 1992, some 13 years ago, and Health Canada is still studying it. It is important to continue to be aware. When Allan Rock was the health minister, he set up the national advisory committee on fetal alcohol syndrome and, because of all the work I had done on this, I was asked how it should be set up. I was sent a model which was the traditional model. Everyone had to be involved and experienced in fetal alcohol syndrome. We needed it to be gender and visible minority balanced and we needed to have someone from each province and territory. This is the precise model that the bureaucracy follows for any committee or advisory group that has ever been set up.

I remember working until about 3 a.m. responding to this suggestion. I said that we did not need people who knew all about fetal alcohol syndrome to preach to each other about how terrible it is. I said that we needed people who knew how to deliver results on programs, to design and develop programs and a comprehensive strategy on how to address this.

How do we reduce the incidence of alcohol related birth defects and all of the other attendant problems associated with misuse of alcohol because there are many more? We needed people who were in business, in marketing, in sociology and psychology. We were talking about trying to influence behaviour. It never did happen. There was a little bit of money given to the advisory committee but the advisory committee died for lack of funding. There was no commitment on behalf of Health Canada of the day.

I am very confident that the Minister of Health today is very committed to dealing with and addressing the issue of fetal alcohol syndrome and fetal alcohol spectrum of disorders.

I quote from the minister's speech February 7. He states:

I only truly understood the impact of Fetal Alcohol Spectrum Disorder when I became the Attorney General, and I talked to judges and lawyers and advocates. One day the Chief Justice of British Columbia took me aside and said, "I want you to know that at least 30 to 40% - if not 50% - of the people that appear in the criminal courts every day are FAS-affected."

He went on to say:

—I do recognize that dealing with FAS labelling, which is what the Bill is about, isn't the panacea that some people might think it is.

He recognized that labelling in a vacuum would not get the intended results by itself. He went on to say:

But I believe that it is perhaps the first very public, very concrete step in beginning the debate that you've been engaged in for many, many years in the positions that you have.

And it is a debate that really hasn't as high a profile that I would like it to have. It is a debate that hasn't always made the front pages of the newspapers, as has the debate on smoking and cigarettes and tobacco control.

I know that sometimes some people say we are creating too many laws and too many regulations and too many conditions for living our lives, but I think it's important in the context of what's been happening on alcohol abuse that we do this - that we do take a steps to ensure that FAS labelling takes place in Canada.

I take the minister at his word that he wants to take some concrete steps with regard to addressing fetal alcohol syndrome and fetal alcohol spectrum of disorders and that he is committed to moving this comprehensive strategy forward.

Since we have had this strategy from Environics in the year 2000, I believe framework discussions have been going on and that intense discussions with the beverage alcohol industry on ingredient labelling and on allergen labelling have been going on for some time. Now is the time to table a comprehensive strategy and let us get on with reducing the percentage of alcohol related birth defects.

•(1100)

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I compliment the member for Mississauga South for his hard work over many years on this particular file. All the members in the health committee appreciate that it is a hard issue, a very serious concern and that the member has driven this issue, brought it before the House many times in the past and continues today to be a very eloquent advocate of trying to correct a very serious problem.

Routine Proceedings

As part of a comprehensive plan, labelling may have a role but sending messages to young people and a whole range of other issues could be targeted to the people at risk. Was the member encouraged by some testimony we heard about new research being funded by the CIHR? I believe it was Dr. Gideon Koren from Motherisk and the Hospital for Sick Children who brought before the committee new research showing the benefits of antioxidant vitamins in reducing the effects on the fetus of exposure to alcohol.

Studies are going on now with vitamins E and C, antioxidant vitamins that are inexpensive, readily available and part of a comprehensive strategy that may well encourage people, especially women of child bearing age, to make sure they are getting a substantial dose of antioxidant vitamins that cannot possibly do them any harm, can bring in a range of other health benefits and can certainly help protect the fetus from the effects of alcohol.

That research is going on and is not conclusive yet, but I wonder if the member found that encouraging and something that we would want to include as part of a more comprehensive package.

Mr. Paul Szabo: Mr. Speaker, I cannot imagine a time when I will ever want to promote the health benefits of drinking alcohol. That is not what we are all about. When we consider that 3,000 to 5,000 children are being born with birth defects every year and it is costing Canada \$15 billion each and every year for additional health care, social programs and criminal justice costs, we have to deal with the health problems now.

The member talks about targeting young people. In June 2003 the National Centre on Addiction and Substance Abuse at Columbia University in the United States did a research study, along with the Betty Ford Centre Foundation. What they found was that 19.5% of the purchasers of beverage alcohol were underage youth and 30.5% were adults who were abusing alcohol. When we add it together we find that over half of the beverage alcohol sales in the United States were to underage drinkers and abusers of alcohol.

We have much more work to do. Even with regard to the tobacco strategy, the studies had shown that if people did not start smoking by age 19, chances were they would never smoke. That is why the strategy was aimed at young people, why so many good things have happened in that respect and why substantial progress has been made.

Targeting young people, yes, but we cannot give women mixed messages about consuming alcohol during pregnancy. It is extremely important that we be very clear. Motherisk and the Hospital for Sick Children also came out with research in which they said that the incidence of alcohol consumption during pregnancy is actually 10 times higher than they previously thought through interviews with mothers. The research is clear.

• (1105)

[*Translation*]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, I agree with my hon. colleague from Mississauga South on many points. Unfortunately, he should be careful when he says that the strategies supported by the industry are not working and this is probably one of the reasons to support them.

Strategies such as Éduc'alcool, Mother Risk, the Student Life Education Company and Taxiguy are working.

However, I want to ask my colleague whether he truly believes that labelling has a real impact. Why did he not consider it important to obtain data on the effects of labelling legislation enacted in 1992 by the Yukon and the Northwest Territories? In both jurisdictions, warning labels are highly visible. In the NWT, these labels are even fluorescent.

I want to know why he did not consider it important to provide us with this data?

[*English*]

Mr. Paul Szabo: Mr. Speaker, first of all, I want to be very clear about what the alcohol beverage industry is doing. It is spending \$660 million a year on promoting its products and lifestyles. It spends only about \$5 million a year on partnerships and programming. It is insignificant.

I would not even want to assess whether or not what it is doing is effective. Quite frankly, what the industry is spending on it is token just to say that it is doing something.

The member asked about what is happening in Yukon. In Yukon the warnings are put on manually.

Much of the debate about labelling has to do with the experience in the United States. Let me be clear about this. Studies have been done in the United States where they have concluded, even as the health committee did in 1992, that the labelling in the United States is not readable and not noticeable. Any attempt to assess the effectiveness of labelling used in the U.S. as a model is futile.

There have been no studies done. The best example we could do in terms of assessing a strategy, including labelling, would be to look at what has happened with the labelling of tobacco. I was a member of the health committee when this was done. The committee considered different kinds of things. I do not think there is anyone here who would say that it has not been a very strong success.

I understand what the member is saying. I am talking about a comprehensive strategy of which labelling is an important part.

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, I join all the members in congratulating the member for Mississauga South on his hard work.

I would like to return to the question of the health benefits of alcohol. I remember the testimony at the committee from an expert in the field who indicated there is evidence that there are antioxidant effects or a mild health effect from a very small daily use of alcohol, particularly red wine. I understand that the tannins create an antioxidant effect. The expert went on to say that if a person went over that margin, it would have the reverse effect. It would have a negative effect and would lead to an additional risk of cancer or heart disease.

Is that the impression of the member for Mississauga South? Would he care to comment on that testimony?

Routine Proceedings

•(1110)

Mr. Paul Szabo: Mr. Speaker, there certainly are those who are opposed to labelling. They are the ones who make the argument about the health benefits. There are people who say that beer has health benefits. There are people who say that wine has health benefits. They should put the evidence on the table. Let us find out.

The Canadian Paediatric Association, the Canadian Centre on Substance Abuse, the Canadian Medical Association, the Canadian Nurses Association, the Ontario Public Health Association, Mothers Against Drunk Driving, the Canadian police, the Canadian fire-fighters are the people who are involved in the health and safety of Canadians. They wanted to say to us absolutely nothing more than what is happening out there in terms of the misuse of alcohol consumption requires our immediate and critical attention.

It means that we have to start talking about preventive techniques, not to send mixed messages. If we start talking about maybe a little bit of this might be good, the evidence I heard was that there are some cases where it might be, but there are a lot more cases where the consumption of alcohol even in small amounts for certain people with certain physical conditions may have negative benefits. This is particularly with regard to other illnesses and diseases and, of course, the natural causes of alcohol which is like ether which tends to numb a person's ability to operate machinery and equipment, or to drive.

The consequences of alcohol misuse, even in small amounts, and binge drinking particularly are enormous. The costs are enormous.

It is time that we tabled a comprehensive strategy, as has been proposed by the member. We must seriously consider what we can do in the best health interests of all Canadians.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, it is a pleasure for me to take part in this debate on a motion introduced by my Conservative Party colleague relating to a report adopted by the Standing Committee on Health.

The entire debate started after the hon. member for Mississauga South introduced a private member's bill. I was listening earlier to the remarks by that member and sponsor of the bill, and I believe that the background needs to be given.

Nevertheless, I want to commend the member for his perseverance here. He has been interested in this issue for many years—a decade—already. There is also a lesson in it for us. In politics, it is essential to have motivations or beliefs. It cannot be said that the member has no convictions.

However, we must also admit that good intentions do not always make the best policies. If we have anything to learn from the history and experience of Bill C-206, introduced by our colleague from Mississauga South, it is that we must always listen to what witnesses have to say.

When this bill was studied in the House at second reading, most opposition health critics came out in favour of it in principle. We were, of course, in favour of warning labels being made mandatory on bottles containing more than 1% alcohol. That alone struck us as a good idea.

The beauty of the parliamentary system does not, however, reside solely in the work of the House, important as it certainly is, but also in committees. A good forty hours were invested in committee in studying this bill more closely. We came to realize that, unfortunately, scientific evidence did not support the solution proposed by the hon. member.

Everyone has acted in good faith on this: the government, the opposition parties, the parliamentary secretary, all have worked very hard. They all wanted to come up with the best possible legislation, keeping two objectives in mind: combating the harmful effects of alcohol and providing the most pertinent possible information.

With the exception of a few organizations such as MADD and the Canadian Medical Association, which were in favour of the principle, after considerable scrutiny, those who had analyzed the bill in depth did not recommend that we pass it in its present form.

I have heard my colleague draw a parallel with the regulations adopted a few years ago when I was on the Standing Committee on Health. I am, in fact, rather proud of being both the youngest member of the committee and the oldest, in years of experience, having been a member since 1999. So I was on the Standing Committee on Health when it reviewed the tobacco regulations. I think there was a considerable difference between those two bills, however. Why? When the government introduced the tobacco regulations, the difference was this:

First of all, the scientific studies. The Canadian Cancer Society alone submitted a pile of scientific studies on the harmful effects of tobacco, and these were provided to all parliamentarians.

Second, there was a fundamental difference in that the cigarette manufacturers are obliged to rotate the messages.

•(1115)

The regulations called for a dozen or so different messages a year, staggered at different times, so that no sense of easy familiarity with the medium could develop. If a person is exposed to the same message for months or years on end, it loses its effect. That is the first distinction.

Another distinction that was pointed out to us is that serving alcoholic beverages in a glass is not the same as in a bottle. People are served in glasses in licensed establishments and not in bottles. Consumers are therefore not directly exposed to the message. That is a very important difference.

Third, an organization as large as Éduc'alcool, with its likeable director general, Hubert Sacy, popularized what is probably one of the best known advertising campaigns. If people were asked—especially Quebec residents—what is Éduc'alcool's slogan, 80% to 90% would certainly say, "Moderation is always in good taste".

Éduc'alcool is a not for profit organization, in this case, a consortium independent of the government. It brings together people representing brewers, the Société des alcools du Québec, universities and researchers, who have managed to implement far more effective educational methods than those proposed in the bill.

Routine Proceedings

It is interesting that in Quebec we have a regulation adopted several years ago that requires alcoholic beverage producers to give a certain percentage of their revenues for awareness campaigns. Under the regulation, which is administered by the Régie des loteries et courses du Québec, they may give those funds directly to an organization that does preventive work or to one that does research, but one way or another, a certain percentage established by regulation must be given to ensure that there is an awareness campaign.

The scientific evidence, the facts and research that were available, did not point in a direction that would make us feel comfortable supporting the action suggested by the member for Mississauga South. That is why the Bloc Québécois proposed amendments. We would have felt better if the Quebec model had been used as the basis. We do not want an approach that says we are going to slap on regulatory labels if we are not certain they will be seen and read.

The hon. member for Mississauga South is right to remind us that it is their corporate duty. We cannot allow companies to make profits the way breweries and distilleries do without being good corporate citizens. Most of these companies do have in-house programs that provide safe ride home services, for instance, or information on the negative effects of excessive drinking on society.

Éduc'alcool submitted a research summary. They summarized the research available mostly in the United States and Canada, but also in Europe. They submitted a document outlining the impact of mandatory labelling.

We are not saying this was pointless. It is certainly not as black and white as that. In fact, the hon. member for Laval—who took an interest in this issue in committee—and I would never make such a blanket statement.

• (1120)

Consumers are indeed provided with some information, but there is no scientific evidence proving that mandatory labelling changes, in any way, the behaviour of people with drinking problems or a serious addiction to alcohol, people commonly referred to as heavy drinkers. Let us be honest, mandatory labelling has absolutely no effect on them.

Canadian Institutes of Health Research was represented at the committee by Ms. Nadeau, the Vice-Chair and herself a psychologist. She asked us to think about three consequences.

First, the approach of the hon. member for Mississauga South was somewhat lacking in nuance. He intimated that alcohol consumption of itself was reprehensible. In scientific terms, however, an occasional glass of red wine with a meal at the Cage aux Sports or elsewhere in good company, whatever may be your preference—The fact is that a little glass of red wine from time to time savoured in good company as one of life's little pleasures never did anyone any harm.

If we took a little survey here, even among my ascetic neo-Bolshevik friends, rigorous at work and disciplined in bed, I would be very surprised to find a member of the NDP caucus who has not at some time raised a glass of red wine in a toast. I would be very surprised if there were no parliamentarian here who does not consume alcohol in moderation on occasion. I would in fact be very

surprised that the hon. member for Mississauga South is abstemious to the point of excluding any sort of alcohol from his life.

The fact is that the message the bill sent lacked subtlety, according to what Éduc'alcool told us. Terrorizing people is not the best way to educate them and neither is the cut and dried approach. A little glass of red wine never did anyone any harm.

Second, my colleague from Laval will speak later and develop this idea further—the warnings proposed by the member for Mississauga South included one on driving under the influence of alcohol, which could indeed be harmful. However, there was a warning that alcohol consumption during pregnancy could harm the baby. This is true.

My colleague from Laval asked about funding for the publication of a brochure that was distributed wherever this information would be useful, with the result that surveys revealed that 90% of women were aware of the hazards of excessive consumption of alcohol during pregnancy.

Éduc'alcool shouldered its responsibilities and worked with the Quebec health and social services department and the Collège des médecins du Québec. I do not know how it works in English Canada, but the LCSCs and Quebec hospitals display posters with this kind of information. However, the intention is not to traumatize or terrify, but rather to gently provide relevant educational information, which is essential for reaching the target audience.

I believe that, at times, the member for Mississauga South had a small tendency to believe that the message had to be stern and categorical, rather like the Lacordaire movement of earlier days, sometimes neglecting the nuances. I think that this was not the best approach.

Once again, we believe that the Quebec model is extremely important; I am talking about the coalition created around Éduc'alcool, with awareness campaigns and obviously some in-house programs by the major national brewers, but above all with Éduc'alcool taking the lead. This organization visits, for example, the university campuses.

• (1125)

Éduc'alcool has raised our awareness with anti-binge drinking campaigns. I am addressing the pages in particular. I am asking students to always stay in control. The end of term and exam time can be stressful. People want to party. They wind up on campus, where there may be drinking games. This trend started a number of years ago. Such activities should be avoided. I am warning our friends in particular, the pages, who are so dear to us. They have done an excellent job this session. I ask my colleagues to applaud them for their devotion during the entire session.

Routine Proceedings

Some hon. members: Hear, hear!

Mr. Réal Ménard: Éduc'alcool went to university campuses to explain that this kind of behaviour is unacceptable. It told pregnant women the same thing. The most difficult audience to reach are those who drink and drive, the hardened drinkers who get behind the wheel in the evening. It is true that there is still more work to be done, as we learned from Ms. Nadeau of Canadian Institutes of Health Research.

Then there is another consideration, the motion made in committee by the member for Guelph to kill the bill, and let us not mince our words on that. There are terms like infanticide and regicide, but I do not know what the term for killing a bill would be. The member for Guelph moved to have the bill deemed not to have been adopted in committee, so it died. There was another possibility, which the Bloc members could not support, to have the federal government set up a national strategy on fetal alcohol syndrome.

We do, of course, acknowledge that this syndrome is a reality that must be addressed. When I represented the Bloc on the parliamentary committee reviewing the non-medical use of drugs, I recall visiting places—Winnipeg, Manitoba, for one—where FAS was a severe problem.

We believe, however, that it is not the role of the federal government to come up with such a strategy. Where fetal alcohol syndrome is concerned, the health facilities are often involved. We in the Bloc Québécois do not believe that this is the role of the federal government, nor that it is in the best position to set up such a strategy.

Unfortunately, this is not the first time the federal government might be tempted to intervene in the health care field. I remember, when we were studying the new reproductive technologies bill, how I warned the government that this bill was obviously unconstitutional. The Liberal MPs did not want to listen to me.

Now today they are faced with a court challenge. The Liberal government of Jean Charest—a government that does not show a lot of backbone in defending the interests of Quebec—has nevertheless felt obliged to appeal in order to challenge the constitutionality of the new reproductive technologies legislation.

The federal government is periodically tempted to intervene in the health field above and beyond its jurisdictional limits, which are aboriginal health, research, veterans and patents. We cannot, therefore, be in favour of such a strategy.

My congratulations to the hon. member for his enthusiasm and hard work. I would ask him to let the provinces do their job as far as fetal alcohol syndrome is concerned, taking as their model the Éduc'alcool program in Quebec, which has produced convincing results in the struggle to combat problem drinking.

● (1130)

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I thank the member for his participation in the debate. He has done his job in representing the interests of Quebec. I am here as a member of Parliament trying to represent the interests of all Canadians who are concerned about this issue.

The member put amendments to the bill at committee which basically would create exemptions for small producers. There is more detail to it, but it basically would succumb to the argument that small producers would have a harder problem than the large producers in putting labels on their products.

That is probably mathematically true, but I am not sure whether or not it is a good enough reason when many of the small producers export to the United States and put warning labels on their products. Many of them have customized labels which they change from time to time depending on the season.

I am also concerned about something which the justice officials brought before the health committee, and which Health Canada confirmed. There could be a problem with regard to the charter, and I am not sure whether it would be under the section dealing with freedom of expression, regarding the producers' freedom to put whatever they wanted on their bottles. The argument would be whether or not there was an infringement and whether or not under section 1 of the charter it was demonstrably justified in a free and democratic society that the infringement made sense because it affects health, et cetera.

I am a little concerned that the argument is not fully developed and that we are not giving conflicting messages, or we are not giving consideration where maybe it is due and also, whether it might not impair the argument before the courts on a charter challenge. The tobacco industry went before the courts and Health Canada won that case.

I hear the member and I understand. Nobody wants to be draconian in dealing with the problems with the misuse of alcohol, but we certainly want to make absolutely sure that we look for that win-win where everybody can play a role. Would the member please comment?

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I would like to thank my colleague for his kind words and his questions.

I think that my colleague was present at the committee when the Bloc Québécois proposed a motion to have justice department officials appear. They have not really taken a position, it must be said, in the debate raised by our colleague. Would it be prejudicial to freedom of expression? What we know for sure is that there was a risk. I think that this scenario was even mentioned in a brief to cabinet, which the committee members did not see.

What we know is that the freedom of expression guidelines were determined by the Supreme Court in two decisions: the Sharpe decision on child pornography and the Irwin Toy decision on advertising children's toys. It is acknowledged that freedom of expression basically depends on three things, in particular not being harassed on the basis of one's beliefs.

The government's objective must obviously be considered. For example, if the Supreme Court had been asked to rule on such a question, it might have looked into whether it is in the public interest to ensure that alcohol is consumed responsibly. I think that the Supreme Court might have answered yes to this question.

Then there would have been other questions. First, it would have asked whether the means that the government used were proportional to the objective. Is it proportional to want in a way to limit the space on the label for producers and manufacturers? I think that the Supreme Court might have answered yes to this question. Second, the Supreme Court would have tried to determine the effectiveness of such a measure. I think that this is where the member's bill might have been a bit more vulnerable. In any case, we are in the realm of speculation here because the Supreme Court was not asked to rule on this.

Insofar as microbreweries are concerned, I think that our colleague was also present at the committee when the Association des microbrasseries du Québec came to see us in the person of its utterly charming president, Ms. Urtnowski. It is necessary to know that some microbreweries use very traditional methods. In some cases, labels are put on manually. Microbreweries would obviously have had to acquire technologies costing hundreds of thousands of dollars, even though they do not have the same wherewithal as the national brewers or the same market share.

That is why the Bloc Québécois put forward an amendment to the effect that manufacturers who produce less than 300,000 hectolitres would not be subject to the regulation proposed by the member for Mississauga South.

• (1135)

[English]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to make a comment and to question the hon. member from the Bloc. He is a very able health critic for his party. I have listened with interest to his comments about the labelling issue for fetal alcohol spectrum disorder.

I think the member is aware that the NDP did support labelling. In fact it was our member for Winnipeg North who introduced a motion several years ago. The motion was approved by the House, but unfortunately the government has been very slow to move on this issue.

I certainly understand and am aware of the concerns as expressed by the members from the Bloc in terms of how this might impact microbreweries. In fact there are microbreweries in my own riding of Vancouver East.

It seems to me that there are two issues here. One is a public health issue in terms of providing a broad dissemination of information about fetal alcohol syndrome and the massive consequences for individual children and families but also for society at large. The idea of some sort of public labelling is a very important measure. People can always find technical reasons why something should not be done. It is a matter of looking at the principle that is involved and then determining how one applies that principle.

I certainly understand the position of the Bloc, but I have to say that the NDP is firmly in support of the idea of labelling as an important public health measure, a public policy measure, that needs to move forward.

The second point I would offer to the member is perhaps he would agree that the issue around fetal alcohol spectrum disorder also

Routine Proceedings

relates very much to class and economic issues in our society. It relates to poverty.

In my own riding of Vancouver East if we had much more emphasis on preventive health, on adequate housing and nutrition and income, which is a big issue, we would be able to address these concerns. It would provide a much healthier environment for families and children and we would be able to prevent this kind of syndrome from taking place.

I would ask the member to comment on that.

[Translation]

Mr. Réal Ménard: Mr. Speaker, I thank my colleague for her question. I recalled her taking part, as I did, in the deliberations of the committee on alcoholic beverages in Canada. Our colleague tabled a report in this regard. The issue is not whether we want there to be information available on fetal alcohol syndrome, because all parties support this principle. The issue is whether the measures are effective. As legislators, we must ensure a bill will be effective, before it becomes law.

The Bloc voted in favour of labelling tobacco products and the 10 rotating warnings. Although the labelling was appealed right to the Supreme Court because it was considered to take up the commercial space of the tobacco manufacturers, that did not stop us. However, in the case of alcoholic drinks, we had no study on the benefits and the scientific evidence.

I think the Quebec model, with Éduc'alcool, the college of physicians and the health department, was a lot more successful with the target clientele. I think the member for Mississauga South was involved in a moral crusade, which deserves our respect. However, we cannot stop here. As we know in the business, good feelings do not always make good politics. We cannot stop at good feelings. Further analysis is needed.

In terms of effectiveness, unfortunately, we did not have these studies. We had them when the Standing Committee on Health reviewed the matter of regulating tobacco products. The Department of Health had presented studies.

Here again, a minimum standard of rigour requires us to consider the consequences and effectiveness of the bills we pass. In this case, scientific evidence was not on the side of the member for Mississauga South.

• (1140)

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I want to thank the member for Mississauga South for his dedication, commitment and perseverance in raising the issues around fetal alcohol spectrum disorder and about the impact of drinking, for example, underage drinking. It shows a tremendous amount of commitment to a cause. He has been very passionate about it.

The member for Hochelaga suggested that members of the NDP might occasionally resort to tipping. He is absolutely correct. I do enjoy a glass of wine on occasion, and as any responsible drinker, I am sure to use it in a responsible fashion.

Routine Proceedings

In talking about the issue of labelling alcoholic beverages, many people who came before the committee said that this was absolutely not to be seen as a strategy.

Mr. Speaker, I just want to advise you and the House that I will be sharing my time with the member for Vancouver East.

When we were talking about labelling, many people saw labelling as one tool in a tool box. Many people saw labelling as a way to signal the government's intention to develop a full, comprehensive strategy around fetal alcohol spectrum disorder. Many people saw labelling as that critical first step, a signal that people were committed to ensuring that this issue stayed front and centre on the health agenda.

It was with great disappointment that I saw the bill killed at committee. It was with great disappointment I recognized that this is the third time this matter has come before the House.

Much has been made around the fact that there have not been any substantive studies to point to the fact that labelling would decrease alcohol consumption. The question that should have been put to people was whether labelling would increase awareness around the risks. It troubles me that we would not agree that labelling would increase awareness around the risks. We label many other products. Alcohol is one of the products that can have risks for a population and which does not carry a warning label. Much has also been made around the validity of studies.

It is interesting to me that hot off the press today a headline in the Saint John *Telegraph Journal* reads, "Few drinks a day may not protect against strokes, heart attacks".

Much has been made about the benefits of alcohol but the article states:

The U.S. government warned Tuesday that a few drinks a day may not protect against strokes and heart attacks after all.

Some studies in recent years have touted the health benefits of moderate drinking. Some have even said that up to four drinks a day can significantly reduce the risk of heart disease in people 40 and older.

But researchers at the Centers for Disease Control and Prevention analysed data from 250,000 Americans who participated in a 2003 telephone survey. They found that the non-drinkers had many more risks for heart disease — such as being overweight, inactive, high blood pressure and diabetes — than the moderate drinkers.

Based on those results, the agency could not say that moderate drinking actually was a factor in reducing the risk of heart disease.

The findings were published in the May issue of the American Journal of Preventive Medicine

"We're feeling the pendulum has swung way too far and Americans are getting sort of the wrong idea" on alcohol, said the study's lead author, Dr. Tim Naimi of the CDC's chronic diseases division. "The science around moderate drinking is very murky."

The CDC has long worried about alcohol abuse in the United States. Studies have shown that drinking excessively - five or more drinks daily - can increase the risk of heart disease. The CDC says nearly one in three Americans drinks too much.

The agency said people should follow dietary guidelines that limit daily consumption to two drinks for men and a single drink for women.

Other groups — such as the American Heart Association — say drinking alcohol increases the dangers of alcoholism, high blood pressure, obesity, stroke, breast cancer, suicide and accidents.

There have been several studies, but it is very interesting that now there is a study which is saying wait a minute, maybe moderate drinking is not so great for us after all.

●(1145)

The only reason I have brought forward this study is that throughout the discussion at committee, people consistently said there was no conclusive evidence that labelling would affect drinking behaviour.

The committee heard evidence from a variety of sources. One of the groups that came forward was the Canadian Centre for Addiction and Mental Health. In April 2001 it indicated, "Warning labels must not be considered in isolation, since knowledge alone rarely results in changed behaviour. Warning labels reinforce rather than replace other forms of education. Labelling should be seen as just one part of a broader public health effort to reduce alcohol related harm. That effort should also include ongoing public education, responsive public policy and availability of effective treatment services".

That was just one of many witnesses who said that labelling in their view was an essential part of a comprehensive strategy.

The position statement of the Australian Drug Foundation in March 2003 stated that labelling provides a counterweight to alcohol marketing which promotes that alcohol is safe. It said that labelling also protects the fundamental right of the consumer to know the risks of the product. This is a critical point which seems to have often escaped the discussion. We are talking about the fundamental right of consumers to know the risks of a product.

The Motherisk program at the Hospital for Sick Children also saw labelling as a critical part of the strategy. It said, "The alcohol industry first denied the existence of FAS and later did very little to prevent it. The main reason that they oppose warning labels is their fear of losing revenue. They claim that they oppose warning labels because they are not an effective method of FAS prevention. That contradicts their lack of effort to find other means. Warning labels are an effective way in changing the culture of drinking, similar to the change in attitude toward smoking, or drinking and driving. In the implementation of the alcohol warning label, nothing can be lost, only gained".

Another issue which often was not discussed was that people talked about labelling being ineffective. The industry spends a substantial amount of money designing labelling to encourage drinking of their particular product. If labelling is not effective, why would the industry spend so much money labelling bottles?

That issue came up in a study at the National Center on Addiction and Substance Abuse at Columbia University in the U.S. in February 2003. This study was done in the U.S. so I am not suggesting that Canadian industry does the same thing.

The study said, “They saw action as being urgent. The decline in alcohol consumption among minors over the past 20 years appears to have promoted campaigns such as the increase in marketing alternatives and gelatin shots, Zippers, both appealing to children, and the efforts of the liquor industry to mount major advertising campaigns on television”.

We have also seen all kinds of different labelling. Some of the samples we saw at committee really encouraged some behaviour that many of us thought was highly questionable.

A number of people went before the CDC, including three surgeons general. Those three surgeons general called on the alcohol industry to include in its advertising and product labels “clear warnings of the dangers of underage drinking and adult excessive drinking”. They also called for “endowing an independent foundation with no ties to the alcohol industry to work exclusively to curb underage drinking”.

The Betty Ford Foundation said that the findings demonstrated that the alcohol industry had an inherent conflict of interest between public health and industry profit.

I could go on with quotations at length. In 1992 the subcommittee on health in “Fetal Alcohol Syndrome: The Preventable Tragedy” said that government warning labels on containers of beverage alcohol sold in the country had been done since 1989. It was referring to the United States. It said that labelling had been happening in the United States since 1989 and the wheels of industry had not ground to a halt, despite the fact that the industry had to put labels on bottles.

It is ironic that Canadian brewers are shipping alcohol with labels to the United States. If it is good enough for the U.S., it should be good enough for Canada.

•(1150)

GOVERNMENT ORDERS

[Translation]

WAYS AND MEANS

VETERANS AFFAIRS

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, there have been discussions on all sides of the House and you will find that there is consent for the following motion:

That Ways and Means motion No. 8, standing in the name of the Minister for Veterans Affairs on the Order Paper, be deemed moved and adopted on division.

[English]

Mr. Paul Szabo: Mr. Speaker, because of the translation kicking in late, I heard part of the motion. I am not sure if I fully understood it and wonder if the motion could be reread for the House to understand it.

[Translation]

The Deputy Speaker: I am going to repeat the motion in French:

Routine Proceedings

Que la motion numéro 8 des voix et moyens inscrites au *Feuilleton* d'aujourd'hui au nom de la ministre des Anciens combattants soit réputée mise aux voix et adoptée.

[English]

Does the hon. parliamentary secretary have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

[Translation]

Ms. Nicole Demers: Mr. Speaker, if I understood right, my colleague added at the end, “moved and adopted on division”, which you omitted.

The Deputy Speaker: Yes, I think that the words “on division” were included.

[English]

The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

HEALTH

The House resumed consideration of the motion.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to start off by giving my sincere personal thanks to the member for Nanaimo—Cowichan for helping to inform Canadians about this important issue and for her hard work in committee.

I attended each of the committee meetings and I know she always asked questions to inform herself and challenged positions. I want her colleagues to know that this hon. member did an excellent job on behalf of Canadians concerned about this issue.

The member raised a broad spectrum of issues and concerns. To me the most important point she raised is the argument about the synergies between having a label on a product and a strategy to complement it, and the converse, that the strategy also has to link itself to a product as well.

The member will probably know that in the United States there was an effort made to fix the label in the United States because it was not readable or noticeable. The bureau of alcohol, tobacco and firearms rejected the move to improve the label in the United States primarily because the beverage alcohol industry said that it was working and doing its job. It was informing people and awareness levels were high.

I wonder if the member would care to comment on that in view of the fact that in the United States the beverage alcohol industry was saying that the label in the U.S. was working, and in Canada the beverage alcohol industry was saying the label was not working.

Routine Proceedings

• (1155)

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, that is a very interesting point because the member for Mississauga South brought examples of some of the labelling in the United States to the committee and challenged us to find the label. We could not find it. It was placed vertically; the colour was the same as the bottle. It was virtually unreadable. So of course the industry was going to say the labelling was effective because it was effective in its view of not reducing any alcohol consumption.

We really want Canadians to understand the potential for risk. One of the witnesses that came before the committee, Tim Stockwell who was the director and professor for the centre for addictions research of B.C. at the University of Victoria, specifically talked about how we could make labels effective. He talked about the fact that tobacco packages have essays written on them about quite simple health effects of tobacco in huge detail.

However, he also talked about how else we could make those messages effective and this is what we really wanted to see. The message could be rotated and be illustrated with pictures. He went on to talk about the low risk drinking guidelines that were developed in Australia with which he had been involved. A whole series of punchy messages were developed that the alcohol industry actually climbed on board with.

Initially there was a huge resistance; the world was going to end if labels had to be put on bottles. However, eventually the industry came on board and has actively supported a very proactive campaign in Australia. It would be a model that we could look at in Canada for effective labelling.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, with all of the work that has been done by our member for Winnipeg North and the member for Mississauga South, I was very concerned, perhaps even shocked, by the committee's decision not to proceed. I wonder if my colleague could make a quick comment on why she thinks the committee decided not to proceed.

Ms. Jean Crowder: Mr. Speaker, I am relatively new to the House and it was interesting to me to watch how the witnesses at the committee divided. On the one hand, many of the advocates in the health care community and the addictions and substance abuse community, Mothers Against Drunk Driving, Motherisk, a whole series of advocacy groups and health professionals talked about the importance of labelling as part of a comprehensive strategy.

On the other side of the coin, industry representatives talked about the fact that labelling would actually impact on their economic benefits and impact on jobs in the community. I would argue that we need to take both of those pieces and come together, so that we are looking at how jobs might be affected, but also taking seriously into consideration the health and welfare of citizens in our country.

• (1200)

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I thank you for recognizing that I was sharing my time with the hon. member for Nanaimo—Cowichan.

I would like to thank the member for Yellowhead for bringing forward this motion today, so that we can actually have this debate in the House. Obviously it took place in the health committee, but now it is taking place in the House. I think it provides a good opportunity

for all members to express their viewpoint on this very important public health issue.

I would like to recognize the work that is being done by my colleague from Nanaimo—Cowichan, the NDP health critic, and the role that she has played in the committee of basically sticking to the principles. As she said, in responding to a question from my other colleague from Windsor—Tecumseh who asked why the health committee of Parliament decided not to proceed with any further proactive measures to ensure that labelling took place, the witnesses were divided.

There were witnesses who were advocates and who understood the importance and the imperative of this public policy health proposal. Then there were industry representatives. It has become very clear that in the health committee a majority of members, in fact I believe all but the member from the NDP, the member for Nanaimo—Cowichan, voted down a proposal to proceed with the labelling. Instead, the committee adopted this report that is now before us which is to have a further consultation and report through Health Canada with stakeholder groups.

That is fine as far as it goes, but I think it begs the question as to why this issue has been stalled for so long and why so little has been done? I want to draw to the attention of the House that my colleague, the member for Winnipeg North, brought a private member's motion before the House several years and it was approved. Her motion to place warnings and advisories on alcohol beverages was approved by the House. Since that time very little progress has been made by the federal government and Health Canada to move on that motion passed by Parliament to have labelling.

I think that is very disconcerting. It is one of these issues where there are a lot of vested interests involved, but it is critical that as members of Parliament representing our constituents and representing the broad public health of the community, that we not lose sight of the importance of requiring a comprehensive strategy of which labelling should be one component.

I represent the riding of Vancouver East. In my community we are dealing with very huge issues of discrimination, poverty, people who are facing unemployment, who are working in part time jobs, people who are living below the poverty line, and who have very poor access to health care in the city. We have seen massive privatization take place in British Columbia under Gordon Campbell who has allowed it to happen. We have seen this government be completely silent on that question and not do anything to enforce the Canada Health Act.

What this produces is an environment where we are basically creating a society where there are people who have access to resources, often private resources, they have good jobs and good incomes, but there are growing numbers of people who are now joining a part of society where the gap between wealth and poverty is growing.

Certainly, in a community like mine in east Vancouver, we can see the visibility of that. We can see the impact of that in the local community in terms of lack of housing, lack of accessible affordable health care, and lack of education.

Routine Proceedings

I raise those issues because to me they are all part of the environment that creates a situation where there are a growing number of families who have very little access to real resources and support by which to make informed decisions about what they do to live in a healthy community.

In fact, we have removed many of those supports over the years, so families become more and more isolated. More and more people live below the poverty line. They struggle to make ends meet every month. They struggle to keep food on the table and feed their kids.

●(1205)

It is within that environment in my community and I know in many communities across the country that we need to address these fundamental health issues. We need to look at the determinants of health. We need to look at the things that will help produce healthy communities in terms of housing, resources, income, stable work, family support and child care. These are the basics for healthy and livable neighbourhoods.

I very much see this issue of fetal alcohol spectrum disorder as a part of that debate, because I think we can see this as we experience a society where more and more dysfunction takes place. We have people feeling the stresses of everyday life and trying to keep their families together. We can see that with a lack of support and resources people make decisions, and they may be engaging in practices such as consuming alcohol without the awareness about what the direct consequences are for unborn children and for children as they are growing up.

These are very critical issues and I feel a sense of dismay. I have now been in this House for almost eight years. I do not know how many throne speeches I have heard, but I have heard enough of them, and I think I can safely say that every single Speech from the Throne that I have heard has addressed this issue. It has always supposedly been on the government's agenda to address this issue, particularly within the aboriginal community where we have seen the incidence of fetal alcohol spectrum disorder happen at very alarming rates because of the lack of supports.

It is very alarming to look at this place and hear the speeches and the fine words laid out in those speeches when the result is that really nothing takes place. I have to say for the NDP members here that we are very concerned about the direction the government has taken in sort of moving off this agenda, from the big picture of not enforcing the Canada Health Act and allowing privatization to take place to other parts of the picture. The government is being completely passive and non-active on this issue of FASD.

This has tragic consequences in local communities. I think we have to question ourselves. What is the weight and what is the balance we give to different interests who come before us?

I think there are legitimate concerns from the industry about labelling. There are questions that industry has, but surely there are also some broader principles at work here in terms of public policy and health policy. Surely if we can adopt those principles then we should be able to figure out, with all the resources that we have in this place, how to design a system that can mitigate the effects the industry is concerned about while still bringing forward a strong

public message about the dangers of alcohol consumption that can result in FASD.

Surely we are able to accomplish that. This is not an insurmountable task. I think what it comes back to is a lack of political will to carry this out. With this government, this lack of political will is something that we are unfortunately all too familiar with. How many times do we have to hear about the commitment to this and that, whether it is child care, health care, housing, education or help for aboriginal people? How many times do we have to hear this rhetoric but see a complete lack of follow-through? We do end up feeling very cynical about what this government's record is all about. I think Canadians feel very cynical about that record.

While we are here today to support this report or the need for a report as far as it goes, let us be very clear that this issue could have already been dealt with if this Liberal government had decided to act even when the member for Winnipeg Centre had her motion approved by this House several years ago.

●(1210)

Here we have yet another example of this Liberal government dragging its feet, not following through on its agenda and dropping the ball on a significant public policy issue that has to do with the health and welfare of our children and our families. So yes, we will have this debate here in the House, but it is this government that has dropped the ball on this issue.

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I want to make a comment and ask a question of the member. She talked a lot about how it is important for government to realize how the addictions are troublesome and how labelling will help.

In our province, our provincial government owns all the liquor stores. I am wondering if she would agree, then, that probably it should put up big signs to tell people that whatever they buy out of those stores is definitely a detriment to their health.

I want her to comment because in our province we seem to encourage drinking. Our premier wanted to lower the liquor age. He is putting up three brand new beautiful buildings throughout the province. While we are closing schools and hospitals we are going to have three of the nicest looking liquor stores in the nation, I am sure, because the NDP does believe that people should have choice. Now we are down to the same topic as liquor. That is all these stores sell. The government has a monopoly. It controls these liquor stores. Should there be warning signals and warning signs posted on their doors as well?

Ms. Libby Davies: Mr. Speaker, I know that the hon. member is from the province of Saskatchewan. I have to say that I think it is far preferable that we have government control of liquor licensing and liquor distribution.

I come from a province where the Liberal government has for years tried to privatize liquor distribution and basically get rid of all the rules. It was only because of a massive public outcry in the community that the government had to back off from its privatization plans. I think the Saskatchewan model, where at least there is a clear accountability back to the government for liquor regulation, licensing and distribution, is a preferable environment to operate in.

Routine Proceedings

In terms of notices or labelling in that province, it is obviously for the people of Saskatchewan to decide how they want to urge their government to follow through on that.

I think that what we are debating here today is the critical role of the federal government in taking up its responsibility. This is part of the problem. We can look at it province by province, but the question before us today is what we should be doing in this federal jurisdiction to ensure that there is a comprehensive strategy, to ensure that we have education, awareness and prevention right across the country.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I would like the hon. member for Vancouver East to comment on this statement because I know that her riding is one of the ridings in Canada with the lowest income per capita. One of the things that came out in 1992 in the standing committee report on fetal alcohol, where Mrs. Betty MacPhee, the manager of Vancouver's Crabtree Corner, was a witness, was that every woman should know that "there is no known safe amount of alcohol" for women who are pregnant.

Subsequently, results of a national survey done for Health Canada by Environics said that part of the major findings of the study was again that there was "confusion about the safety of 'small amounts' of alcohol". This was many years later so clearly there had not been an improvement in women's knowledge. I wonder if the member for Vancouver East could comment on how labelling would benefit her community in that many people there probably struggle a bit with literacy and just finding out information.

Ms. Libby Davies: Mr. Speaker, the organization the member refers to is a family child care centre in the downtown east side. This is a place that is overwhelmed by the stresses and the demands that are placed on families in that community.

The member makes a very good point. It seems to me that labelling and providing public information about the devastating effects of consuming alcohol during pregnancy is one measure. It must be part of a comprehensive strategy. As well, information must be delivered in a way that is accessible, noticeable and usable to people. I think labelling is a part of that, but it cannot be the only part of that. We need to have information that is delivered right at the grassroots in terms of community education and awareness campaigns.

Some of these organizations work tremendously hard under very difficult circumstances to get that message out, but if we had a clear strategy from the federal government to assist that I think those organizations would be a lot better off in working that message in the local communities and bringing about the understanding and awareness for women who are pregnant.

● (1215)

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, we could say a lot of words here. A lot could be said about why the private member's bill did not succeed through committee in its current form. More importantly, though, I think we should talk about why this process did work and how it did work. Perhaps it did not achieve the outcome that we would all have liked, especially the mover, the member for Mississauga South, who has done a lot of arduous work

on this. He has done a lot of hard work for a number of years. He is an expert in the matter.

A lot of people in the House supported sending the bill to committee so that it would have full study. I think we have to see that where the system worked for the private member's bill was in bringing an increased level of awareness to the House, to all parties and to Canadians to make sure that people understand the horror of diseases like FASD, fetal alcohol syndrome, the risks in the operation of machinery, the danger to general health with misuse of alcohol and other drugs, and the effects that improper use has on families and on communities generally.

We have had a very good debate on that. Now we have a follow-up to one element of it. We listened to reports. Committees should do that. All parliamentarians from all parties worked very hard at the committee. Perhaps Canadians become disenchanted with parliamentarians when they watch the House and listen to the arguments, name calling, screaming and accusations, but I think those who followed the committee would have seen people working very hard and very seriously, asking good questions of a lot of experts and of people with their protected interests, of course, who came to the committee, were able to testify and were asked questions by all members in a very good manner.

At the end of the day the decision was made that perhaps it was not the time to go alone in a stand-alone fashion on labelling, but that we needed a comprehensive strategy. The committee reported on that and the member for Yellowhead put a motion to the committee, which was supported nearly unanimously if not unanimously, if my memory serves me. It was very well supported that we get a report and get some action from the Department of Health, that the Department of Health appear and talk about its comprehensive strategy on FASD and that we see what it is preparing.

I think that is very good. If we get that element out and get people working together in the right direction, then the member's work is not lost. I believe he worked very hard. We cannot lose it. We cannot have that work go for nothing. No member of Parliament and no Canadian benefits from that. We have to build on the work that has been done to date and look forward to a comprehensive strategy in the future, which may very well include labelling. It has to have the participation of all players. The alcohol industry, I understand and I certainly hope, has been served notice that it has to be a player at the table. It is the product the industry profits from that is a risk to our society in many ways and society has to be informed. The question remains on what is the best way to inform.

We are now talking about one element of it, fetal alcohol spectrum disorder, about which the member for Mississauga South has written and with which he is very familiar. He will be encouraged, I hope, by the moves that will be made by government and by other sectors of our society over the coming years. I hope we see a day when we have the complete elimination of FASD; certainly we have to see a reduction and that starts with awareness.

Routine Proceedings

It is our intention to be present at the committee with the future strategic directions of the government's activities on fetal alcohol syndrome, as stated in the motion. The government will support the motion. We will present a document that will highlight the involvement of key partners and stakeholders, as well as the gaps, the challenges and the opportunities in current fetal alcohol spectrum disorder activities. We will speak on how we plan to address these challenges and opportunities.

The health portfolio has been working with other departments and agencies, the provinces and territories and aboriginal groups as well as a host of community based partners on a comprehensive approach to fetal alcohol spectrum disorder. Its objective is to address the critical gaps and pressures caused by FASD and provide individuals and organizations working with groups that are at risk with the tools and resources they need to reach and educate prospective parents.

● (1220)

As profound as the impact may be for affected individuals and their families, the cost of FASD is steep for society. Canadian taxpayers will spend an additional \$1.5 million over the lifetime of each affected individual in extra health care, education, welfare, policing and criminal justice costs.

Consider that given the incidents of 9.1 cases of FASD per thousand births, there are an estimated 280,000 people in Canada currently living with this fully preventable disability. We believe that the most effective approach is one which focuses on awareness and on prevention. That is what the experts and academics who have studied this issue tell us works best.

For example, research shows that women are more likely to turn to their health care providers for information on alcohol during pregnancy. This reinforces that it is important to educate the range of health care professionals. Supporting health and allied professionals will enable them to deal more effectively with their people at risk and help reduce the risk factors.

To this, a lot has been accomplished already. Among the many activities completed to date, the department has published a framework for action on FASD. The Public Health Agency of Canada also conducted and published a national survey of health care professionals on their knowledge and attitudes on FASD. It has also supported the development and publication of Canadian diagnostic guidelines to assist teams of health care providers in identifying affected individuals.

In 2000 and again in 2002, Health Canada conducted public opinion surveys to gauge public awareness and general knowledge about FASD and alcohol use during pregnancy. The intelligence gathered through this process helped to shape common messages on FASD. Those were developed by the department in partnership with the provinces and territories. Posters and pamphlets using these messages were prepared and distributed to the public. Health Canada subsequently conducted limited awareness campaigns using these materials.

That is not all. Working in partnership with Thyme Maternity and News Canada, the department had newspaper articles published aimed at increasing public awareness of FASD and the need to avoid alcohol during pregnancy. Of particular importance to organizations

working with high risk groups, the Public Health Agency has funded eight projects the country through the national FASD strategic projects fund. Through these projects, tools, resources and training programs are being developed and are used by community-based organizations to prevent FASD and to improve the prospects of people living with this disability.

A lot of work is also being done at regional levels to support local projects that will help reduce the incidents of FASD and improve outcomes for those affected.

This is just the beginning. Work currently underway will create greater knowledge and understanding of the impacts of pre-natal alcohol exposure and support prospective parents and affected individuals and their families. For instance, focus group studies are being conducted among women to gauge their acceptance of the current messages. The information obtained from these studies will help form a healthy pregnancy campaign, which is under development, targeting women of child-bearing age with health messages around pregnancy, including alcohol and FASD.

Another sample is a series of literature reviews being undertaken that focuses on alcohol use by pregnant women and the alcohol consumption rates of women of child-bearing age. Research is also being carried out on FASD training opportunities and public awareness activities across Canada.

Momentum is building all across the country to address many of the challenges Bill C-206 proposes to resolve. National multi-stakeholders meetings were recently held in Ottawa, including one to follow up on the publication of the diagnostic guidelines. A symposium on FASD was held as part of ongoing discussions on Canada's alcohol strategy and a national framework in substance use and abuse.

A survey of allied professionals' knowledge, attitudes and behaviours regarding FAS is currently being planned. The result of this survey will provide baseline information on FASD knowledge among such groups as correctional officers, teachers, social workers, nurses and other front line workers dealing with affected individuals. The public health function that they provide is paramount to FASD harm reduction and prevention.

● (1225)

An analysis of disability laws and regulations and the evidence necessary to declare FASD as a disability is also being compiled. The first nations and Inuit health branch of Health Canada is developing culturally appropriate screening and diagnostic tools. There will be a new call for proposals for the national FASD strategic project funds.

This says nothing of the plethora of activities taking place in the regions of the country. Health Canada and the Public Health Agency of Canada are working hard to ensure that their efforts merge seamlessly with those of community based organizations in the provinces and territories. They are ensuring that prevention and awareness measures are not limited to the health care domain.

Routine Proceedings

FASD is an issue that cuts across sectors and jurisdictions. All these activities contribute to a comprehensive approach that seeks to reduce the risks and tragic consequences of prenatal alcohol exposure. That, as witness after witness told the Standing Committee on Health, is exactly what is needed if we are to produce meaningful results.

Make no mistake. This is precisely what the Minister of Health has indicated he intends to do. All parties are well aware that the health minister is serious about preventing FASD. He has told the House of Commons that his department is working toward a comprehensive strategy for FASD based on proven and established best practices.

Do not forget that while I have focused on challenges specific to FASD, I remind my hon. colleagues that there is a broad range of important programs at play, including Canada's drug strategy, the alcohol and drug treatment and rehabilitation program, the drug strategy community initiative funds and the national native alcohol and drug abuse program, in addition to the national fetal spectrum disorder initiative.

It is important to remind ourselves that while the committee did not see fit to go through with the bill as proposed, the committee did not say, or I certainly did not as a member of the committee, that there was not a benefit to alcohol labelling. I believe what has been said by most witnesses at the committee and by the committee's decision at the end is that it is not in the interest of Canadians to proceed on a one-off basis on this one element, but that it is important to have a strategy. It is important to inform Canadians on the risk of alcohol abuse and drug abuse generally and to give the tools to the communities so they can help those affected individuals and so they can identify those who are at risk.

We should all be thankful of the hard work done by the member for Mississauga South, the information that it gives to the public, the baseline work that it provides to committee in the House of Commons and the anticipation of resolutions to these very serious matters in the future.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, let me begin by indicating to all members and to the public, which is very interested in this subject, that the concurrence motion that I have on the order paper with regard to Bill C-206, which would allow it to continue to report stage and third reading, is still on the order paper. As a result of having this concurrence motion, which will require a comprehensive strategy by June 2, I will defer in calling that motion on the bill itself and the eighth report of the health committee until we receive the comprehensive strategy. If it calls for health warning labels, I would be more than happy to move the concurrence motion so we could continue working on Bill C-206.

Therefore, for those who are interested the bill is not dead.

I want to ask the member a question about a matter which appeared in the *Globe and Mail* on February 7. There was an interview with one of the representatives of the beverage alcohol industry. The individual was quoted as saying that there had been extensive meetings with Health Canada in regard to the framework and strategies, even to the extent that discussions were held on labelling beverage alcohol with regard to ingredients and also allergens.

It appears Health Canada already is quite engaged with the issue of labelling as it relates to ingredients and allergens. It would then raise this question, and I hope the member could shed some light on it. If the argument is that labelling does not work, why would we consider labelling of ingredients and allergens, but not consider information with regard to the risks associated with misuse of alcohol?

• (1230)

Hon. Robert Thibault: Mr. Speaker, again I do not want to defend either side of the argument. I supported the motion presented in the House that we not proceed with the bill at this current time based on the evidence that was provided. I understood that this type of labelling would not be effective as a stand-alone measure.

On the question of other labelling for other purposes, there are rules and regulations under the Food and Drugs Act that allergens have to be reported on and labelled. While I have not researched this matter, I presume that would be to what the member has referred.

Many people spoke on the question of labelling at committee. This is particularly true when it comes to questions like FASD and other problems associated with the abuse of alcohol. We have to reach the individuals at risk before they buy the bottle because often that decision will not change at that time.

For women of child-bearing age, who are considering pregnancy, it is important they have that understanding in the information and education provided to them prior to them buying a bottle. We heard the evidence of experts that it was too later for people who had problems, those who we refer commonly to as alcoholics, or women who continued to drink through pregnancy because of an alcohol or drug dependence. We have to work with them before it becomes a problem.

Those are elements that were provided by experts who appeared at committee on the strategy on comprehensive drug use. In this motion we talk about FASD. However, let us remember we heard at committee, and it was brought to light by the private member's bill, that there was more than the risk of FASD from the abuse of alcohol. There are general health risks such as liver disease, heart disease and cancer. There is also the risk in operating machinery while intoxicated or drinking and driving. Mothers Against Drunk Driving made an excellent presentation on those risks and costs to society and families due to alcohol abuse. Many of us know first-hand of the excesses of alcohol and the stress it can put on the family, the community, individuals and all our systems.

When I consider a comprehensive drug strategy, I go beyond FASD. This motion deals with FASD which is a very important element within that strategy.

• (1235)

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, I will be splitting my time with the member for Nanaimo—Alberni.

I commend the member for Mississauga South for fighting on this issue for so long. His fight against the negative effects of irresponsible alcohol use, fetal alcohol syndrome disorder and drinking and driving, to name only two, has been inspirational.

Routine Proceedings

The member deserves much credit for the momentum building toward a comprehensive FASD strategy. I and the Conservative Party wholeheartedly share his concern about FASD and drunk driving. My party supports the intent of the member's bill but, unfortunately, not the bill itself. Simply put, it has not been proven yet to be the best way to address the problem it seeks to solve.

The eighth report of the health committee recognizes the ineffectiveness of alcohol labelling, highlights the costs associated with it and recommends that the House proceed with a comprehensive FASD strategy that may or may not include warning labels.

The Standing Committee on Health voted almost unanimously in favour of a more comprehensive strategy. In fact, the vote was ten to one.

The eighth report contained reasons why the committee recommended that a label only strategy proposed by Bill C-206 be replaced with new comprehensive FASD and drunk driving strategies. All witnesses and committee members agreed that FASD and drinking and driving were serious problems that demanded action.

We know that these issues cause untold suffering on those affected by them. However very little evidence was put forward to indicate that alcohol labels would be an effective way of preventing either FASD or drunk driving. Labelling certainly works for a variety of purposes but for FASD and drunk driving, given the intended targets of the messaging, labelling may be ineffective.

The implementation of Bill C-206 would have cost the federal government significant dollars to implement and maintain. A diversion of these resources to labelling at the expense of targeted programs may not be cost effective. The implementation of the bill would have likely raised trade and charter questions which would have imposed further costs on the government.

Many witnesses calling for a comprehensive FASD strategy did not feel that the first dollars should be committed to labelling initiatives.

There was constant concern that if the government moved ahead with labelling that it would be able to claim that the problem was addressed and would not feel compelled to do what was really needed. The cost of labelling would have crippled many smaller breweries, distillers and wineries.

A leaked cabinet document indicated that Health Canada was aware of the ineffectiveness of labels in preventing FASD and drunk driving. In the letter, however, Health Canada acknowledged that to not support Bill C-206 would look bad politically.

This is no way to draft legislation. This is no way to govern. Laws should not be justified based on how they will be perceived. Laws should be passed based on sound research and well proven facts.

The majority of witnesses who appeared before the committee told members that established targeted programs currently in place to address FASD and drunk driving had a much better chance at success than warning labels.

The Conservative Party of Canada believes that a comprehensive strategy that may or may not include warning labels is the best way

to tackle FASD. We therefore support the motion to concur in the eighth report of the Standing Committee on Health. The Conservative Party will demand that the alcohol beverage industry play an active role in the new strategy. Although the industry has played a part in previous initiatives, it must do more and will therefore be called upon to take a leading role in a comprehensive strategy.

• (1240)

The committee supported the motion by the member for Yellowhead that the committee call upon the government to present to the Standing Committee on Health a new strategy for the prevention of fetal alcohol spectrum disorder to be developed by Health Canada and its stakeholder groups by June 2, 2005. The motion will be tabled at a later date.

The health minister has indicated that he is serious about preventing fetal alcohol spectrum disorder and has told the House of Commons that his department is working toward a comprehensive strategy for FASD based on proven and established best practices. The Conservative Party hopes that Health Canada will develop, release and implement that strategy as soon as possible and the motion by the member for Yellowhead will hopefully accelerate that process.

As a member of Parliament for Manitoba, FASD is a serious problem. I was also involved with Teens Against Drinking and Driving at a very young age. In fact, the program was set up at my high school so I am aware of these challenges. However I want to ensure that if efforts are made they are not done in a haphazard way but in a manner that will ensure we get the maximum impact on the population that these programs will be targeting.

Therefore I hope that we will work together as a nation to reduce the occurrences of FASD and drinking and driving to basically nothing. Only together will we make that happen. I ask that we all support the member's intent of Bill C-206 but that we wait to see a comprehensive strategy that may or may not include alcohol labelling. We have to do the work required.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, I congratulate my colleague on his intervention in this matter and would ask him if he could tell the House how this matter has directly impacted Canadians.

Sometimes when we talk about policy in the House, certainly if we are not intimately involved in the issue as my colleague is, we can lose sight of how real Canadians are impacted. I would be interested in my colleague's comments on that dimension of the issue.

Routine Proceedings

Mr. Steven Fletcher: Mr. Speaker, one of the interesting aspects of the bill that struck me as helpful was that the labelling targeted two areas of harm by alcohol consumption that are completely preventable. There is no need for babies to be born with FAS and there is no need for drunk drivers to be on the roads. We all know that each year too many people are killed by drinking and driving. We all know the terrible effect that fetal alcohol syndrome has on the population, especially the most vulnerable part of our population, the children.

Not only is it terrible for a child to have that health challenge at the beginning of life but it is also important that prevention measures are implemented so we do not have to deal with children with FAS. For the unfortunate children who do have FAS, we need to provide the resources to allow those children to live meaningful and productive lives. However that is a heavy drain on the resources in society for something that is completely preventable. It seems that we could do a lot more as Canadians.

Alcohol labels, in and of themselves, may or may not reduce the effects but we know that the existing programs reduce the effects. It would be great to have a program that incorporates the best policies from all stakeholders to ensure that FAS and drinking and driving are reduced to zero.

• (1245)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I thank the member for Charleswood—St. James—Assiniboia for his thoughtful and constructive participation in the hearings at committee and the counsel he gave to all his colleagues on the issues facing us and the difficult question about warning labels and the likelihood of their affecting behaviour as opposed to simply informing people or improving their awareness.

Some suggestion was made that labels in a vacuum would not do anything special other than satisfy the obligation or the duty to inform.

Should Health Canada table with the House a comprehensive strategy laying out its argument that the strategy would be enhanced by having health warning labels on the containers of alcoholic beverages, would my colleague support Bill C-206 calling for those labels?

Mr. Steven Fletcher: Mr. Speaker, if a comprehensive strategy is put forward I hope it would include elements that would require Bill C-206 to be redundant. If they decide that labels are necessary, then that needs to be given serious consideration.

The one thing that really struck me during the hearings was the fact that one of the industry representatives said that if it were part of our constructive strategy and it were shown that labels would in fact change behaviour then they would have no objections to doing so. That buy in by stakeholders is important and that may be one of the great legacies of their participation in this process.

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I am pleased to enter the discussion on this very important issue calling for concurrence of the House in the ninth report of the health committee. This basically it is a motion where the health committee is asking that Health Canada work with stakeholders to complete and present a comprehensive strategy and plan to address fetal alcohol syndrome.

I will begin by acknowledging the member for Mississauga South. I did mention this earlier in a small intervention but I think all members appreciate the efforts of the member over many years to advance this cause before the House. I personally, as a member of the health committee who sat through the debate and discussion, am pleased that it came before the committee. I think we all learned a lot about it and I am hopeful that we will see this issue advanced.

What is fetal alcohol syndrome? It is the leading cause of developmental disability among Canadian children. It was first established as a medical diagnosis in 1973. That makes it rather modern as something that has been recognized in the medical world.

Fetal alcohol spectrum disorder, FASD, is not one set of symptoms alone. It is a spectrum of disabilities associated with prenatal exposure to alcohol. The issues range from very mild symptoms to very severe mental disability and deformity.

While preventable, fetal alcohol spectrum disorder is a complex, multifaceted public health and social issue. It affects Canadians from all walks of life but, interestingly enough, we know that there are some communities that have been affected far more significantly and more profoundly. Certainly in our first nations and Inuit communities it has been disproportionately devastating.

The bottom line is that alcohol for a pregnant woman is a disaster and the only way to ensure or guarantee a safe pregnancy is to avoid alcohol entirely. However the message is not that a single glass of wine for a pregnant woman will be a disaster in itself. It is the multiple drinks, the binge drinking or the heavy dose of alcohol that can be extremely destructive to the fetus.

There is a huge range of serious physical and mental defects. It varies with the amount, the timing and the frequency of alcohol consumed and depends upon a number of factors, perhaps the genetics of the fetus and the mother or the overall state of health.

What has been done? I think this is significant. Since the early eighties there has been a patchwork of awareness campaigns and activities that have grown to support women at risk as well as to meet the needs of people in communities affected by FASD. More research, monitoring and evaluation of individual initiatives have increased in recent years.

Some of the programs that came before committee were quite significant. In the province of Quebec, statistics show that fetal alcohol syndrome is even more prevalent in Quebec than in other provinces. The province has responded with a very good educational program. Some of the tools that Éduc'alcool has put out for public awareness are actually very good. They are making an impact. They are out in the schools. They are being used in the communities and in the clinics and there is a real effort to get the information out.

Routine Proceedings

The program promotes moderation; how to behave with our children, whatever their age; and that prevention begins with the family. It provides very good practical advice for parents on how to behave with children, whatever their age and whatever the risk to which the children are exposed.

It also provides advice on how to interact with 8 to 11 year olds and what type of messaging parents should have. It provides advice on how to behave with 12 to 14 year olds who are now increasingly in the risk range as their possibility of pregnancy rises. It also provides advice on dealing with 15 and 16 year olds. Statistics show that some 24% of 16 year olds drink alcohol just about every week. These, I believe, are Quebec statistics because it is the Éduc'alcool program that is providing the information. Just 23% of 16 year olds have never had a drink. They are at risk.

● (1250)

The program goes on to give advice on how to behave with 17 to 18 year olds who increasingly are vulnerable to peer pressure and have more access and more economic capability of accessing alcohol in quantities that could be destructive.

Some of these programs include influencing young people not to drink and drive and to make the right choice.

Efforts have been made in recent years to address education, important initiatives to getting the information out.

It is estimated that 9 babies in 1,000 born in Canada have fetal alcohol syndrome, which is about 1 in 100. It is the leading cause of developmental disability. The costs to society are high. Without taking into account the lost potential and opportunity, which is not measurable for individuals, the direct costs have been estimated to be about \$1.5 million per person. That is a huge cost to society.

It is also known that we are facing a lifelong disability when a fetus is damaged at this early developmental stage, that it can be prevented and that we need to be taking some action to reduce the cost of morbidity and the terrible affliction on society.

The essence of Bill C-206 was that we should go out and label alcoholic beverages. I think there are some advantages to be later addressing this with other nations because we have with the United States, for example, some 15 years' experience with labels. The member for Mississauga South had brought us examples of labels from some products. The label on a beer bottle, for example, was around the neck. It was in a text that was either vertically orientated or in a colour that made it nearly invisible. We might wonder why some of those labels are ineffective but when we look at them it is clear that we need a microscope and some special lighting to read the message at all.

We saw other labels that were brought in that were clearly visible. The problem is that after a whole range of initiatives were tried, no one could really provide the committee with any evidence that these labelling initiatives had actually had an impact. In fact, it seems that in spite of the labelling things have become worse and the incidents of fetal alcohol syndrome continues to increase.

The significant thing about Canada addressing the latter issues is that in spite of the fact that some people think it is a good idea to put labels on there and it might feel better that we are doing something,

we do not want to take an initiative just so we can feel a little better if the initiative will not be effective. It seems to me that the government has enough initiatives that turn out to be ineffective or misdirected.

We might mention some common examples, like a gun registry that turns out to be ineffective or misdirected, or a range of other issues that are actually misdirected, or the criminal justice with concurrent sentences. Someone gets a five year sentence but in fact receives concurrent sentences. People have committed crimes that are maybe two crimes that call for five years, but they get only a five year sentence and then get statutory release and are released early.

We have a lot of messaging that goes out that turns out to be ineffective.

On the labelling issue, while we want labelling and there may be a way to make labels effective, the evidence is not clear that is the primary direction in which we should be going, and the committee has therefore asked for a comprehensive plan.

We were startled, as committee members, to hear that although Health Canada officials had been working on a strategy for several years and meeting with stakeholders, they were giving indications that although they felt they were closer to a strategy for fetal alcohol syndrome, they felt they were nowhere near a comprehensive plan for the whole range of managing alcohol.

What the committee wants and what we want to propose is that Health Canada put some emphasis on this matter and come up with a comprehensive plan that would include a wide range of issues.

I want to bring up an issue that came out of committee that many people listening to the debate may not have heard. I actually raised the issue with the member for Mississauga South earlier in a question but I think he missed the point I was trying to raise.

The point I was trying to raise came out of a report to the committee by Dr. Gideon Koren, who is involved with Motherisk and the Hospital for Sick Children. The good news is that after some 10 years he reported that some 15 studies in animals showed that administering antioxidant vitamins, vitamin E, vitamin C, vitamin A, lowers or eliminates the risk to the fetus in animals. Thank goodness CIHR has funded some studies to demonstrate this in human beings.

● (1255)

A little good news came out of the study and it is an inexpensive way to begin protecting people. The information did not surprise me because we know antioxidant vitamins mitigate a whole range of chronic degenerative diseases. It would be very good news indeed if we could recommend and make sure that people at risk, particularly young mothers and women who are consuming, were getting antioxidant vitamins to reduce the risk.

Routine Proceedings

We are asking the House to endorse a comprehensive strategy which might include labelling, include greater public awareness and put some real funds into making sure we advance a program that works.

[Translation]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, I listened to my colleague very carefully and I agree with him when he says that Health Canada has been working on this for years. It is very true. I also agree with my colleague from Mississauga South, who is right to say that after ten years of studies and evaluations, it is time to take vigorous action to fight the tragic but avoidable effects of fetal alcohol syndrome and excessive alcohol consumption by young people, and I would add to that, drunk driving.

Anyone who calls for a national strategy is calling for procrastination. We were told here just yesterday, at the Standing Committee on Health, that of the \$1.2 billion the Health Infoway program was given, only \$51 million has been spent so far. Well, that program was created five years ago.

Insofar as the child care system is concerned, \$700 million will be invested in a trust. It will obviously be hard to access the funds. If I remember correctly, a few weeks ago my colleague and his party were decrying the child care system approach.

What I would like to know from him is whether it is not better for each province to have its own policy, under which each could respond to its own needs and problems. With a national strategy, we have the same old problem: the approach is too centralizing and the strategies that are needed to solve the problems never get developed.

● (1300)

[English]

Mr. James Lunney: Mr. Speaker, I am not sure I understood the member's point regarding trust funds. I do not know whether she was referring to the money that was set aside for hepatitis C, for example, to compensate people. That is a very good example of another misdirected program which promised to deliver help to people in great need and here, after all these years, we find that of the \$1.2 billion, over \$1 billion still remains in that fund. We are still discussing in this House how we might administer help to people. If that was an illustration of another ineffective program, she was making a very good point.

On the question of whether a national strategy would be better or whether it would be better to allow provinces to develop their own strategies, I want to commend the province of Quebec for recognizing a problem and advancing the Éduc'alcool program. It was very encouraging to see the work it has already done. Perhaps a national strategy would want to incorporate a lot of what Quebec is already doing. However I think the issue is big enough but the provinces are so strapped for resources because of the huge costs of health care that they are basically treading water. I do not see us advancing this without a very comprehensive national strategy that would include labelling and a whole range of other educational materials.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member is quite right. I did misunderstand his previous point. Motherisk has come up with interesting research that analyzes stools of newborns which shows that the consumption of alcohol during

pregnancy is actually 10 times higher than they previously thought through interviews. I thought we were talking about that.

In any event, could the member please tell us about the funding of Éduc'alcool?

Mr. James Lunney: Mr. Speaker, as I recall, the funding, which I believe is a penny a bottle, but it is a small amount collected at the distribution centres where alcohol is being sold that goes into the program. I am sure that is a very valuable asset.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, having taught school for 21 years, there are many fetal alcohol syndrome children who are in the school system. As we know, FAS is a leading cause of development disability.

Could the member please comment on how FAS impacts on the school system?

Mr. James Lunney: Mr. Speaker, there are huge costs to the education system in trying to manage the very complicated problems associated with these kids as well as trying to deal with autistic children. The House has been facing that issue as well.

Many people have been looking for a means to address this question. It is time we found answers because the educational system and parents cannot carry this alone. We need a comprehensive strategy to address these issues and reduce the challenge these children face.

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, the hon. member is quite an expert on natural health products. During committee hearings we heard that some research had been done to decrease the damage in fetal alcohol spectrum disorder by using vitamins properly.

Does the member foresee the use of vitamins in prevention or perhaps added to certain products as part of the comprehensive strategy?

Mr. James Lunney: Mr. Speaker, the member who has introduced a private member's bill in the House on natural health products that would change the way we regulate them.

I was very hopeful when I heard the announcements about the study, not only to diagnose these damages early in meconium stool, but also to find out if we could reduce the morbidity rate by getting antioxidant vitamins to women at risk in their child-bearing years. This would ensure they would have adequate antioxidant vitamins to protect their fetus and to ensure they not only would enjoy good health themselves but also to protect their children from this very serious condition. That is something—

● (1305)

The Acting Speaker (Mr. Marcel Proulx): The hon. Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness.

Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I am pleased to rise and participate in the debate on a motion which would accept the report of the Standing Committee on Health on Bill C-206. First, I would like to congratulate the member for Mississauga South for his very diligent work on Bill C-206, an act to amend the Food and Drugs Act, warning labels regarding the consumption of alcohol.

What the committee dealt with, when it reviewed the private member's bill, was the idea of putting warning labels on bottles of beer, wine and spirits warning against the consumption of alcohol. The member's intent is very well-founded. We know that he has taken a very keen interest in the effects of fetal alcohol syndrome and has made quite a study of it. We know he has very good intentions when it comes to his bill.

However, we need to focus on the process where his bill was reviewed by the Standing Committee on Health. That committee had witnesses from a broad spectrum of stakeholder groups. In the wisdom of committee members, after hearing all the testimony, they decided that the bill should be defeated and that the committee ask the Minister of Health to present a comprehensive plan to the committee by June 2, outlining a strategy for helping people who drank irresponsibly, including drinking and driving and fetal alcohol syndrome. That was a very sound recommendation.

The question of the labelling came up and pre-empted the review of the Department of Health and the Minister of Health of a very thoughtful drug strategy. We should not rush ahead with putting labels on bottles of spirits, wine and beer until we have a look at that comprehensive program. A caution is also warranted because there does not seem to be any evidence, notwithstanding the member for Mississauga South's best intentions, that putting warning labels on bottles will have any impact whatsoever.

In fact, it will put an additional cost burden on industry without any appreciable benefit. We are trying to reduce the incidence of drinking and driving, drinking while pregnant and drinking while operating heavy machinery. The information in studies that have been done in Canada tells me that 96% of women know they should not drink while pregnant. If we survey pregnant women, 99% know they should not drink while pregnant. If we do the same survey about drinking and driving or drinking and operating heavy equipment, a full 95% or thereabouts of people know that they should not drink if they are going to operate heavy equipment or drive.

If the objective is to educate people, people already know this. Therefore, I wonder what we will accomplish. What we will accomplish is that we will put an additional burden on the beer industry, the wine industry and the spirit industry. They will have to move resources from programs that already work, and we know they work very well.

For example, at committee we heard a witness who formed a company called TAXIGUY. The firm operates across Canada. If people want to get a lift from a bar because they have had too much to drink, TAXIGUY has a 1-800 number. Drivers will pick them up, drive them home and the next morning they will come back and help

Routine Proceedings

them find their car. That program is funded partly by companies like Molson and Labatt and partly by MADD.

The industry would have to review all these programs. I know the beer industry for example does some tremendous work with fetal alcohol syndrome. It has worked with a group called Motherisk which has a hotline for pregnant women who can phone and talk about drinking and pregnancy.

• (1310)

There is a host of responsible drinking programs that the beer industry and other industries support. The industry would have to review those. We could ask review those for what purpose? It would be so they could absorb the cost of putting labels on bottles where there is no evidence to suggest that these have any effect or impact. They have had warning labels in the United States for many years and there is no evidence whatsoever that labels have any impact.

If we look at the mechanics of it, what about if one goes to a bar and gets a glass of draft beer? What if one goes to a reception and gets a glass of wine poured? There are no labels. I think the impact of this measure is very dubious at most.

What we really need to focus attention on, in my judgment, is the drinker who drinks in excess and drives for example, and these are repeaters. We need to deal with them. It is not the casual drinker who is the problem. The same thing applies to women who are pregnant. It has been shown statistically that some 60% or thereabouts of women who drink when they are pregnant will do it again and again. They will repeat that kind of behaviour. Putting a label on a bottle I do not think will have any impact.

For these reasons, I will support the motion. The health committee looked at this very carefully. Let us accept its recommendation. Let us get a strategy from the Department of Health and then see if labels are part of that strategy or not.

[*Translation*]

The Acting Speaker (Mr. Marcel Proulx): It is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the motion now before the House.

[*English*]

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Marcel Proulx): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Marcel Proulx): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Marcel Proulx): In my opinion the yeas have it. I declare the motion carried.

Routine Proceedings

(Motion agreed to)

* * *

PETITIONS

DIABETES

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, I am pleased to present a large number of petitions. Juvenile type 1 diabetes creates many devastating health consequences that produce not only a human cost but a large financial burden on the Canadian health care system.

The petitioners pray that the federal government would secure federal funding targeted specifically to juvenile type 1 diabetes research of \$25 million a year for the next five years.

MARRIAGE

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, I have a number of petitions containing several thousand names. The petitioners are from British Columbia and Alberta. They are very passionate and determined that the traditional definition of marriage, that is the union of one man and one woman to the exclusion of all others, be retained by Parliament.

They pray and petition Parliament to use all possible legislative and administrative measures, including invoking section 33 of the charter if necessary, to preserve and protect the current definition of marriage between one man and one woman.

• (1315)

Mr. Darrel Stinson (Okanagan—Shuswap, CPC): Mr. Speaker, I am pleased to rise today to present two petitions signed hundreds of people from my constituency of Okanagan—Shuswap.

The petitioners note that the traditional definition of marriage has been changed by the courts and not by the exclusive jurisdiction of Parliament. They call upon Parliament to pass legislation to recognize the institution of marriage in federal law as being the lifelong union of one man and one woman to the exclusion of all others as the best foundation for families in the raising of children.

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I have a petition with a number of signatures from constituents who pray that Parliament defines marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

HEALTH

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I have a petition calling upon the House of Commons to demand that the federal government implement and fund a national strategy on cancer control in collaboration with the provinces and all other stakeholders.

MARRIAGE

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I also have a petition on the definition of marriage. The petitioners ask that Parliament pass legislation to recognize the institution of marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

Mr. John Duncan (Vancouver Island North, CPC): Mr. Speaker, I am presenting petitions from my riding of Vancouver Island North with over 100 signatures asking that Parliament pass

legislation to recognize marriage as the union of one man and one woman to the exclusion of all others. The petitioners characterize marriage as the best foundation for families and the raising of children under the exclusive jurisdiction of Parliament.

NATURAL HEALTH PRODUCTS

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, I am honoured to rise in the House today to present petitions from across the country in support of my private member's bill, Bill C-420, an act to amend the Food and Drugs Act. The bill is a response to the frustration of Canadians by the overregulation of natural health products and will give Canadians the right of choice in their personal health care.

Bill C-420 will be studied in the coming weeks by the Standing Committee on Health. I am proud and humbled by the support I have received to date in my efforts to give Canadians greater choice in personal health care.

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I also have some petitions here on Bill C-420, an act to amend the Food and Drugs Act, in favour of natural health products.

[*Translation*]

They are from Montreal, Lachute, Blainville, Laval, Quebec City, and from other francophones in la Belle Province.

[*English*]

They are also from Regina, Kipling, and Corning in Saskatchewan. The signatories are in favour of regulating natural health products as foods and not as drugs. People are calling for more freedom of choice in personal health care.

MARRIAGE

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I also have several petitions on the subject of marriage with almost a thousand signatures from right across the country and many from my own riding of Nanaimo—Alberni. They call on Parliament to recognize marriage as the union of one man and one woman to the exclusion of all others, and to take all actions necessary to ensure it remains the way marriage is understood in this country.

FISHERIES

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I have a petition today from residents of British Columbia concerned about the mismanagement of the Fraser River sockeye.

After last summer's disaster, the government appointed a committee headed by a former chief justice of British Columbia, Mr. Williams, to examine this problem. Mr. Williams was promised all sorts of assistance and any documentation that he required from the government. Yet the minister has refused to provide that committee with the documentation it needed.

That is why these petitioners are calling upon the government to establish a judicial inquiry into the management of the fishery, so that any of these documents would be presented as requested.

MARRIAGE

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, I am proud to rise today to present a petition on behalf of my constituents of Macleod. The petition requests that Parliament define marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present a petition to the House, the subject matter of which is marriage. The petitioners draw to the attention of the House that fundamental matters of social policy should be decided by elected members of Parliament and not the unelected judiciary, and that the majority of Canadians support the current definition of marriage.

The petitioners call upon Parliament to use all possible legislative and administrative measures, including the invocation of section 33 of the charter, commonly known as the notwithstanding clause, to preserve and protect the current definition of marriage as being the union of one man and one woman to the exclusion of all others.

* * *

● (1320)

QUESTIONS ON THE ORDER PAPER

Hon. Marlene Jennings (Parliamentary Secretary to the Prime Minister (Canada—U.S.), Lib.): Mr. Speaker, Question No. 92 will be answered today.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Hon. Marlene Jennings (Parliamentary Secretary to the Prime Minister (Canada—U.S.), Lib.): Mr. Speaker, if Questions Nos. 104 and 108 could be made orders for returns, these returns would be tabled immediately.

The Acting Speaker (Mr. Marcel Proulx): Is that agreed?

Some hon. members: Agreed.

Hon. Marlene Jennings: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Acting Speaker (Mr. Marcel Proulx): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CANADA GRAIN ACT

The Acting Speaker (Mr. Marcel Proulx): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Marcel Proulx): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Government Orders

Some hon. members: Agreed.

An hon. member: On division.

The Acting Speaker (Mr. Marcel Proulx): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Agriculture and Agri-Food.

(Motion agreed to, bill read the second time and referred to a committee)

* * *

CIVIL MARRIAGE ACT

The House resumed from April 12 consideration of the motion that Bill C-38, an act respecting certain aspects of legal capacity for marriage for civil purposes, be read the second time and referred to a committee.

Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is indeed a pleasure to rise today to again address this bill, which extends equal access to civil marriage to same sex couples while respecting religious freedom.

Clearly the government believes that this legislation is an appropriate way to uphold the Canadian Charter of Rights and Freedoms and is committed to its passage. We have been considering this bill at length in the House over the last few weeks. To date, there have likely been over 100 members who have spoken to this bill.

I suggest that the time is right for us to take this matter to committee and I would, accordingly, like to discuss the matter of whether we are really going to be committed to this legislation or not. It is extremely important because when we look at what is set out for Canadians, the government has put out very clearly and distinctly the opportunities and options. I think Canadians can see through what has been brought forward by the members of the opposition.

When we look at this matter, there are clearly many issues brought forward that simply do not stand the test. When we look at the alternative approaches that have been brought forward by the opposition, clearly we find ourselves in a position where they simply do not carry the day. They simply do not make sense. They do not have the support that is needed.

Why are we in fact going forward with extending civil marriage instead of using other terms, and other means and methods? Clearly only equal access to civil marriage will fully comply with the charter equality guarantees. Any institution other than marriage, such as civil union, is less than equal.

The government represents the rights of all Canadians equally and will not treat some Canadians as second class citizens. Rights are rights are rights. None of us can, nor should we, pick and choose the minorities whose rights we will defend and those whose rights we will ignore.

Government Orders

The Supreme Court was very clear in its approach to this matter. Although some in the opposition would suggest that in fact there was not a clear and distinctive statement about religious freedom, there were a number of very clear statements made in the decision of the Supreme Court.

When we look at the actual reference report, it asked whether the freedom of religion guaranteed by subsection 2(a) of the Canadian Charter of Rights and Freedoms protects religious officials from being compelled to perform marriages between two persons of the same sex that is contrary to their religious beliefs. Clearly and distinctly it was answered yes. I do not think there is any doubt about where the matter stood.

When we look at the issues of alternative approaches that have been brought forward by members of the opposition, it is clearly no longer possible to create a civil union system within Canada's constitutional and legal framework unless the notwithstanding clause is used. Even then our federal structure makes it virtually impossible to ensure equal treatment as civil unions are within the provincial and territorial jurisdiction, so 13 civil union schemes could have differences that would lead to legal confusion and not equality.

There is no middle ground here. Either same sex couples can marry civilly or they cannot. The law has already been changed in eight provinces and territories to extend equal access to civil marriage to same sex couples. To return to limiting marriage to opposite sex couples would require using the notwithstanding clause in order to overturn these decisions.

• (1325)

The courts have clearly indicated that any institution other than civil marriage, such as civil union, is less than equal. Only equal access to civil marriage will fully comply with the charter equality guarantees. Leaving this to the provinces and territories to resolve could cause a patchwork of 13 civil union schemes. Only Parliament has the ability to look at the complete picture in designing a Canada-wide approach.

The government bill is the only true compromise that is consistent with the rule of law and the Constitution, opening civil marriage to provide real equality and at the same time respecting religious freedom, both for those religious groups opposed to same sex marriage and equally for those who support it.

The Supreme Court is not the only court in the country that governments are bound to respect under the rule of law. Courts across the country have declared that restricting civil marriage to opposite sex couples is unconstitutional. Those decisions do not have to be appealed. They stand in the absence of a Supreme Court of Canada decision overruling them.

Governments can legislate to overrule an ordinary court decision, but where a law has been found to be unconstitutional, the only way to legislate to overrule that court decision is by invoking the notwithstanding clause to publicly state that the government will pass the law regardless of the fact that it violates a charter right or freedom.

The Prime Minister has stated that he will not use the notwithstanding clause in this circumstance to deny rights guaranteed by the charter to a minority. If one minority can be

deliberately discriminated against, then others are potentially at risk. The Government of Canada can either uphold the charter because we believe in its values, or we can abandon the charter. The government will uphold the charter.

When we talk about the question of equality I do not think there is any doubt that the courts across Canada have ruled that equal access to civil marriage by same sex couples is an issue of equality rights under the Charter of Rights and Freedoms. In legal terms, the charter deals with human rights, the basic rights that Canadians believe should be available to all, including the right to equality. Although there is no right to marriage for anyone, there is a right to equality and, therefore, equal access to civil marriage.

Courts have explained that the essence of equality is ensuring the human dignity of all Canadians. Comparisons to other countries are interesting, but each country must make its own decisions in accordance with its own values.

Where is the onus and where does the onus lie? I suggest that if the onus were on those excluded to prove that their equality is absolutely necessary, what would have happened in our past? Would women have been able to prove that they absolutely needed to vote? Would Sikhs have been able to prove that they absolutely needed to be part of the RCMP?

The standard is simply wrong. This government is not changing the fundamental institution of marriage but preserving it, and now allowing same sex couples seeking the same degree of commitment in civil law, but who were previously excluded, to equally undertake the same fundamental vows of mutual love and commitment.

When we look back at the motion that was made in June 1999, the opposition motion was passed by the House of Commons before the decisions of the three courts of appeal and the courts of four other provinces and one territory.

• (1330)

Mr. Speaker, do we have enough people in this House? I wonder if it would not be an appropriate time to see if in fact we do have a quorum. I would like to have more people listening to this speech.

The Acting Speaker (Mr. Marcel Proulx): The hon. member is asking for a quorum count, I understand.

And the count having been taken:

The Acting Speaker (Mr. Marcel Proulx): There is quorum. Resuming debate.

Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, accordingly I move:

That this question be now put.

• (1335)

The Acting Speaker (Mr. Marcel Proulx): The motion is that this question be now put and it is properly seconded, so we will continue the debate.

Government Orders

Ms. Belinda Stronach (Newmarket—Aurora, CPC): Mr. Speaker, I am speaking today in support of Bill C-38, both as a citizen of this democracy and as a proud Conservative. In an ideal world, I wish that we did not even have to be here in Parliament discussing the concept of marriage, a matter much better suited to the private world of individual relationships between fellow human beings. But I am a realist. The courts have been speaking in unison across the country in support of individual rights and we must take up our responsibility in this chamber.

At the core of the issue in Bill C-38 is the definition of marriage. We cannot cut it any other way. It is hard to imagine a more personal or emotional question, and we all have our own views. I have been talking with my fellow citizens in Newmarket and Aurora for months and canvassing their views. I wanted to make sure that I had the benefit of their input before I voted on the earlier amendment and on the bill.

Two conclusions emerged from those consultations. First, my riding is as divided as the country is on the issue so there is no overwhelming majority opinion. Second, the overwhelming majority of people do not raise the issue unless asked directly. Most set their priorities for what they expect from government in other areas, such as jobs, good quality health care, education, public services like mass transit, safe streets, the environment and so on. There is a lesson in here for all of us.

My own approach to the core issue of Bill C-38 relates both to rights and to my appreciation of my own conservatism. It is not about homosexuality.

On the first aspect, the discussion of same sex marriage is a question of rights and equality before the law. For me it is quite simple: how can we, as citizens in a modern democratic Canada, think that we can enjoy a right and then deny that right to a fellow citizen? If we want the right to be considered married, then that right must apply to each and every person. We cannot divide and choose among rights; they are indivisible. A right must exist independently of its exercise. It is a question of being fair, and fairness too is a Canadian value.

The same litmus test of fairness and rights applies equally to the other side of the equation. Churches and religious leaders have the right not to perform same sex marriages. I have argued consistently that this was a necessary part of the package since the very first day I entered public life. With rights come responsibilities, and if a church decides for its own reasons not to marry a same sex couple, then that couple should look for a different church that does or have a civil ceremony.

When compromises are presented to find ways to substitute other equivalent legal benefits for the right to be called married, I still find myself at the same place. I appreciate and understand that the effort to find compromise is taken to broker a way forward. However, the fact that the right to be called married is at the core of the law means that there is for me no way around that reality. That is what the right is all about.

My position on Bill C-38 is taken as a conservative. I respect very much the views of others based on the values they perceive in traditional marriage, but for me the transcending and overriding

value is the liberty of the individual to choose what is right for herself or himself without the state telling her or him what to do, how to arrange their lives or how to behave. I think John Stuart Mill summed it up in his classic formulation: "Over himself, over his own body and mind, the individual is sovereign".

As long as a person is not violating the rights and the safety of others, my conservatism is about his or her freedom: freedom to act, to choose one's own path, the freedom to pursue potential and dreams without having to live through the values of others. For me this debate is not about whether traditional marriage between a man and a woman has any more value than another kind of marriage, but rather that it is none of my darn business to try to tell another individual that my kind of arrangement has more value.

● (1340)

Canada's laws that protect individual rights and liberties should be separate from the grand debates of moral conscience. Those laws protect all of us equally, conservatives whether more traditional or less traditional, liberals, churches and minorities.

To borrow the words of U.S. congresswoman Eleanor Holmes Norton, "The only way to make sure people you agree with can speak is to support the rights of other people you don't agree with".

There is an even greater responsibility facing members of this House. When the debate on Bill C-38 is over and the voting is completed, Canadians expect us to move on to the issues that really matter to them and quickly. We need a strategy in this country to be the most competitive in the world. We need policies that will create quality jobs. We need leadership on education. We need a competitive tax structure. We need to rebuild our relationship with the United States.

Before ceding the floor, I would like to thank and congratulate the leader of the Conservative Party for having allowed a free vote on this bill, a piece of legislation that cuts to the heart of our beliefs as individuals. I think that all members of the Conservative caucus appreciate his decisive leadership on this matter.

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, I am pleased to address the motion for second reading of Bill C-38, the Liberal bill that proposes to redefine traditional marriage.

I am very disappointed at what the Liberals have done today in shutting down any possible motions and in fact trying to ensure that this matter is not fully debated. I hope that Canadians understand what the Parliamentary Secretary to the Minister of Justice has just done. He has shut down debate on one of the most crucial matters in the Canadian political scene today.

Government Orders

I have already addressed some of the concerns I have with the bill and with the manner in which the Liberals handled this issue during the course of the past several years. I do not want to repeat those points of debate at this time. What I do want to address today is the refusal of the Liberal government to allow the legislative committee on Bill C-38 to hear testimony on the substantial matters of the bill and the refusal to allow the committee to travel and hear Canadians' views on this important matter of social policy.

Let us recap what happened in 2003 when the justice committee examined this issue. The committee heard from a wide range of witnesses from all across Canada and travelled across the country. It was unfortunately turned into a sham by the Liberal-led majority on the committee which voted to shut down the committee before it could even issue its report.

The former justice minister, Martin Cauchon, had asked the House of Commons justice committee to travel the country and hear representations on same sex marriage from all walks of life. We did that and we were writing the report. Then on June 12, 2003 the Liberals on the justice committee, helped by the NDP and the Bloc, voted by a margin of one to recommend to the government that the committee not appeal the Ontario Court of Appeal ruling on this issue.

The committee's work was rendered irrelevant and the committee did not report back to Parliament on its hearings on marriage and the recognition of same sex unions.

I would like to remind the House that the Liberal government at that time actually replaced some of the regular members of the committee with others who were guaranteed to vote in a certain way, despite the fact that they had not heard the evidence.

During the course of those committee hearings, we heard from a broad spectrum of witnesses, including not only representatives from religious faiths but also economists, lawyers and academics. These included such respected figures as Dr. Dan Cere and Dr. Margaret Somerville from McGill University.

Simply hearing the evidence without having the opportunity to evaluate it and report on it to the justice minister and the House of Commons does not do the committee much good. It is hardly a substitute for a substantial hearing on the matter.

The Liberals are once again trying to stifle not only the House, as the parliamentary secretary just did a few moments ago, but they are also trying to stifle the committee. Instead of bringing this matter to the full justice committee where the justice committee could have heard substantive evidence from all types of witnesses and could have travelled this country to hear from witnesses, they have referred it to a special legislative committee.

According to the Standing Orders of the House of Commons, special legislative committees can hear witnesses only on technical matters. As such, the committee itself has no jurisdiction to change its mandate. It is bound to hear only technical evidence. Regardless of what the Prime Minister has promised, regardless of what the justice minister has promised, the committee has no jurisdiction to change that Standing Order.

The common statement is that a committee is master of its own procedure. That is not correct in this situation. In fact the committee is bound by the provisions of the Standing Order. Standing Order 113(5) reads as follows:

Any legislative committee shall be empowered to examine and enquire into the bills referred to it by the House and to report the same with or without amendments, to prepare a bill pursuant to Standing Order 68 and to report thereon and, except when the House otherwise orders,—

The House can otherwise order—

—to send for officials from government departments and agencies and crown corporations and for other persons whom the committee deems to be competent to appear as witnesses on technical matters, to send for papers and records, to sit when the House is sitting, to sit when the House stands adjourned, and to print from day to day such papers and evidence as may be ordered by it.

● (1345)

The jurisdiction that the committee has is limited by Standing Order 113(5). While credit should be given to the hon. member for London—Fanshawe for doing his best to persuade the Prime Minister of the necessity of expanding the committee's mandate, it is highly doubtful that these promises can be carried through.

Again it is another example of the Prime Minister making a promise and breaking that promise, knowing full well that the committee that is going to hear this matter cannot do what the Prime Minister publicly stated to Canadians it would do. The Prime Minister knows that. He has in fact misled Canadians on that point.

What specific assurances can the Prime Minister give that there is authority for the committee to hear evidence beyond technical evidence? The point is quite clear that he cannot give any assurances. Only this House can give those assurances. That is why the parliamentary secretary stood up today to make sure that there are no further motions, to make sure that the jurisdiction of the committee cannot be expanded.

The Prime Minister stood before Canadians, including the member for London—Fanshawe, and made all kinds of promises about how the committee was going to do what committees usually do. In fact he knows that he has misled his own member for London—Fanshawe and he has misled the Canadian people on this fundamental debate.

The parliamentary secretary himself has indicated that there will be no travel across Canada. What do Canadians get from this technical hearing at a committee? A number of bureaucrats, a number of justice department lawyers telling Canadians what is good for them. It is a prime example of when Liberals come to Ottawa. They do not represent to Ottawa what Canadians want. Rather, they tell Canadians what Ottawa wants. This is a perfect example of telling Canadians what Ottawa wants, and not telling Ottawa what Canadians want.

Government Orders

According to the most recent statements by the justice minister, the minister states he is not aware of any promises the Prime Minister has made to the member for London—Fanshawe. That is interesting. The Prime Minister stood up on national news, on national TV. Everyone in Canada heard those assurances by the Prime Minister, and the justice minister has said that he is not aware of any assurances that were made. Then his parliamentary secretary walked in here and shut down debate to ensure that the Prime Minister's promises cannot be kept. That is shameful conduct for the Prime Minister of Canada.

The Minister of Justice said in response to a question:

Mr. Speaker, I do not know of any backroom deal. I only know the answer I gave to a question asked by the hon. member in the House, to which the hon. member referred.

I said that any special legislative committee that was set up would address this bill in hearings as it did any other bill.

What the Minister of Justice is saying is that there was no backroom deal. Canadians know that there was no backroom deal. The Prime Minister made those commitments publicly. Promise made, promise broken.

The Prime Minister must now explain to the Canadian people why he has specifically broken his word to the member for London—Fanshawe, to the members in this House and indeed to the people of Canada. Why is he shutting down debate in this House? Why is he limiting debate in committee?

The Prime Minister has held out false hope on a number of occasions. This is only the latest example of a promise made, a promise broken.

• (1350)

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, it is an honour to rise today in support of the traditional definition of marriage. I am also rising in support of the values and the interests that my constituents have communicated to me.

On this critical subject that will define our times, my constituents have told me overwhelmingly that they would like to see their member of Parliament take a balanced position on the question of marriage. They would like to see non-traditional relationships given equal spousal rights through civil unions. They believe that those couples should have the same financial, property and other forms of rights as married couples, but that the meaning of the term “marriage” ought to be preserved as a union between one man and one woman to the exclusion of all others.

I start by making an observation. Had the people of Nepean—Carleton chosen to elect my predecessor, to send him back to the floor of this House of Commons, while he personally supports the traditional definition of marriage and while he has conceded that the people of his former riding support the traditional definition of marriage, he, as a member of Prime Minister's cabinet, would have been forced to vote against his constituents, against his conscience and in favour of the Prime Minister's gay marriage bill. That is a violation not only of one man's conscience but of an entire community's trust.

Thankfully, he was not re-elected, and people sent to Parliament Hill someone who has the conviction to represent the interests of his constituents but who also has a leader who will permit him to do so.

That is why I am fortunate to stand here today to defend both my constituents and my conscience.

Our Prime Minister, our Liberal Prime Minister, has made gay marriage the top priority of his first year in office. That means we will ultimately be voting on whether or not to preserve the traditional family. I believe in approaching this subject in a manner that is respectful of both sides of the debate. That is why I am so disappointed with the meanspirited and intolerant approach that our Prime Minister and his Liberal Party have taken.

Let us be blunt. Our Prime Minister and his Liberal Party have divided Canadians with their obsession with imposing gay marriage. The Prime Minister has made it clear that anyone who supports the traditional definition of marriage is not welcome in the Liberal Party. He has said that the traditional definition of marriage is against the law, according to the Charter of Rights and Freedoms.

Fortunately I do not sit in the Prime Minister's caucus, so I will have the right to represent the will of my constituents.

To begin with, our Conservative Party leader is the only national leader in this House of Commons who is allowing a totally free vote. As such, we have members of our caucus and members of our shadow cabinet who will be voting differently than the leader will, but they all have the right to hold their convictions because we in this party support their democratic right and we support their right to the freedom of conscience. That is not a right that is respected on the other side of the House.

The Prime Minister's behaviour on this issue in the House of Commons tells us a lot about his intentions, for he is willing to turn his guns against those in his own party, his Liberal friends, with whom he disagrees. If he is willing to coerce them with pressure and threats of demotion and force them to vote against their conscience and their constituents, if he is willing to do all of that, if he is willing to attack the independent conscience of his own members of Parliament, how can he as Prime Minister be expected to defend the freedom of conscience of the Canadian people? He will not.

• (1355)

We have already seen examples of where freedom of religion is under attack. Numerous marriage commissioners across the country have been fired for refusing to perform gay weddings. A pro-family bishop, Bishop Henry, has faced threats that his diocese may lose its charitable tax status if he continues to speak out against the Prime Minister on the subject of gay marriage. At their recent policy convention, Liberal delegates proudly donned pins that called supporters of traditional marriage “stupid”.

That is not the Canadian way. Frankly, I find the use of the word “stupid” rather interesting given that the definition of marriage for which our party stands happens to be the same definition that is held by every civilization on planet earth. Perhaps the Liberal youth think that every other civilization is stupid as well. Perhaps they think that every religion in the world is stupid. Perhaps they think that the vast majority of Canadians who would prefer to give spousal rights to non-traditional couples through civil unions are stupid too.

S. O. 31

On this side of the House we will not engage in those types of insults. I have members in my caucus who disagree with me on this subject, members who are with us in this House today. I want to send a message to them and to all people who may take a different point of view on this subject: that I deeply respect their point of view and I respect the way in which they have arrived at it.

That is the Canadian way: respect and tolerance. We should respect people who are in relationships that are non-traditional and we should give them the same rights, but that need not require us to change the meaning of the most quintessential social relationship in the history of civilization. We can have both at once. We can protect rights while at the same time preserving tradition.

It is my position that this social relationship, adhered to throughout the ages, handed down to people from above, is a basic building block of any healthy society. The government should not only tolerate it but encourage it. Therefore, being that I am in the company of members of the House of Commons on the other side who use terminology like “charter” and “equality” as a blanket in order to smother tradition, I want to question their commitment to equality.

Why is it that their government imposes tax penalties on those families that make the sacrifice of keeping one parent in the home? If they believe in equality, why is it that the family that lives in one house and earns \$50,000 a year with a single income while keeping one parent in the home pays a much higher rate of taxation than the family next door with two different incomes of \$25,000? They have the same family income, yet one is penalized.

Do the Liberals really believe in equality when they attack the right of families to make their own independent decisions? Evidently not.

I am proud to stand in this House and in this chamber not only to defend tradition, but to defend my constituents on the very basis of responsible democracy, which sees us, the members of this House of commons, as employees of the people, as the servants, not the masters, who take the word of the people and exercise it in this highest democratic chamber in the land. I am proud to stand for my constituents on this day.

STATEMENTS BY MEMBERS

• (1400)

[English]

BRAIN TUMOURS

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, over the past two days representatives of the Canadian Alliance of Brain Tumour Organizations have been meeting with members of Parliament. This organization of volunteers is dedicated to advocating for better patient care, increased government funding for research in the area of brain tumours and an increase in public awareness.

Each year over 10,000 Canadians are newly diagnosed with brain tumours. Brain tumours are also the leading cause of solid cancer death in children under the age of 20.

Our country needs to better understand the issues related to brain tumours, particularly as this relates to access to drug coverage and supportive care services for those affected. At present, provincial drug coverage varies considerably from province to province. In my own province of Nova Scotia, effective new treatment is not available to all those it could help. This needs to change, because lives are at stake.

I wish to congratulate these dedicated volunteers on the work they do.

* * *

CHILD CARE

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, no election will undo the Liberal Party record on the creation of a national child care program. In 1993: a promise made, a promise broken. In 1997: the same promise made, the same promise broken. In 2000: again, promise made, promise broken. In 2004: yet again, the same promise made and broken.

The minister has backtracked on his promises. He no longer promises a national universal system. He says he will hand over some money to the provinces for a seed fund, maybe.

The Conservative Party supports children and families. A Conservative government would put families' choices first. We would let parents decide what is best for their children. We would provide options that respect every family's needs and priorities. We would support all families, especially those who need it. We would respect provincial jurisdiction.

We just do not think the Liberal Party that wants to legalize marijuana and prostitution is ready to raise anyone's children.

* * *

POPE JOHN PAUL II

Hon. Brenda Chamberlain (Guelph, Lib.): Mr. Speaker, I rise to express the profound effect that the late Pope John Paul II had on my community.

Through his spiritual leadership and tireless efforts for peace around the world, Pope John Paul touched and inspired many Canadians of all faiths.

Thousands of members of my community have expressed their support and love for this great man through signing books of condolence located at my office and around the city. They respect and revere this man, particularly for his presence on the international stage, highlighting issues that desperately needed the world's attention.

I was fortunate to be in Vatican Square some years ago with thousands of others to receive a blessing from the late Pope. It was truly an amazing experience.

While we welcome today's election of Pope Benedict XVI, my community and I will always remember and celebrate the life of Pope John Paul II.

[Translation]

POPE BENEDICT XVI

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, after two days of conclave in Vatican City, an enthusiastic crowd in St. Peter's Square watched as white smoke appeared from the chimney of the Sistine Chapel announcing the election of a new Pope.

The 115 cardinals from 52 countries have chosen Cardinal Joseph Ratzinger of Germany to succeed John Paul II. Cardinal Ratzinger has taken the name Benedict XVI.

Many important challenges await Pope Benedict XVI. Among other things, he will have to carry on the diplomatic efforts of his predecessor in favour of reconciliation.

This is a day of celebration for Catholics worldwide. They have a new spiritual leader at the head of their Church. We wish him a good pontificate.

* * *

• (1405)

[English]

THÉRÈSE CASGRAIN AWARDS

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Mr. Speaker, earlier today the Minister of Social Development presented the Thérèse Casgrain Volunteer Award to two outstanding volunteers.

Named after a remarkable Canadian, this award is presented during National Volunteer Week. Thérèse Casgrain lent her voice to those who had none. She was a defender of disadvantaged members of society and spoke out against social injustice.

This year's recipients exemplify the very same unwavering commitment to defending the marginalized in our society.

A tireless fighter for human rights and civil liberties and a strong voice in the battle against child poverty, June Callwood, who is from my riding of Etobicoke Centre, has lent her support to over 50 social organizations, including, among others, Jessie's, a centre for teenage parents.

Ashraf Ghanem immigrated to Canada in his twenties. Through the years he has worked tirelessly to provide services to new immigrants in Canada and has helped them in their transitions.

I congratulate the two recipients in their battle to alleviate social injustice. I am especially proud to see—

The Acting Speaker (Mr. Marcel Proulx): The hon. member for Fundy Royal.

* * *

CANADIAN GUERNSEY ASSOCIATION

Mr. Rob Moore (Fundy Royal, CPC): Mr. Speaker, I rise in the House today to congratulate three very talented dairy farmers in my riding of Fundy Royal.

For more than 50 years, brothers Ted and Bill Wanamaker have been producing milk for New Brunswickers. Their nephew Blair

S. O. 31

continues this family tradition from their Cedar Rock farm in the Kennebecasis Valley.

The Wanamaker family is renowned for its top quality guerneys. Their breeding program has produced all-Canadian champions and has won numerous awards from the Royal Winter Fair.

Just recently the Wanamakers have been nominated for an honorary lifetime membership with the Canadian Guernsey Association in recognition of their outstanding farming knowledge and experience. This prestigious award is given to individuals who have been of extreme value to the Canadian Guernsey Association over the years. In fact, there are only 20 living honorary members across the country.

Again, congratulations to the Wanamaker family of Nauwigewauk, New Brunswick on this exceptional nomination.

* * *

VOLUNTEERISM

Hon. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I rise today to pay tribute to the many volunteers in my riding of Etobicoke—Lakeshore. We should never take for granted those who dedicate their time and energy to the benefit of others. Volunteers, young and old, embody true Canadian values such as compassion, empathy and dedication. They are indeed fine examples among us.

Last Friday, April 15, I was honoured and pleased to recognize 45 outstanding volunteers from my riding. I commended them for their exemplary sense of duty. In particular I want to mention Ms. May Herron who is 94 years old and is still a dedicated volunteer at the Islington Seniors Centre.

To all volunteers not only in my riding but in all of Canada, keep up the great work. We in the House are so very proud of them.

* * *

[Translation]

PARRAINAGE CIVIQUE DES BOIS-FRANCS

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I want to extend heartfelt congratulations to the entire Parrainage civique des Bois-Francis team on winning the Hommage bénévolat-Québec award in the organization in action category.

This agency from my riding of Richmond—Arthabaska will receive its award at an official ceremony tomorrow evening at the Quebec National Assembly.

Parrainage civique des Bois-Francis recruits volunteers and pairs them up with people who are intellectually challenged in order to create strong bonds of trust, caring and friendship.

This award is a testament to commitment to the community and will raise the profile of Parrainage civique des Bois-Francis in the region.

S. O. 31

[*English*]

POLAND

Hon. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to commemorate the 65th anniversary of the massacre of about 20,000 Polish officers, prisoners of war and civilians by the Soviet authorities in the forest of Katyn in the spring of 1940.

Last Sunday I participated in the annual commemorative ceremony at the Katyn Monument in my riding, together with members of the Polish Canadian Congress and veteran and youth organizations.

It took almost 50 years for Mikhail Gorbachev to admit that the massacre in the Katyn forest was the work of the Stalin regime. However, in March 2005, Russian authorities ended a decade-long investigation into the massacre, but declared that it was not a genocide, a war crime or a crime against humanity. Consequently, on March 22 the Polish parliament unanimously passed an act requesting the Russian archives to be declassified and requesting Russia to classify the Katyn massacre as genocide.

To this day, the Katyn massacre remains an open chapter in the history of the Polish community in Canada and a stumbling block on the path of building international relationships, trust and transparency.

* * *

• (1410)

JUSTICE

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, in a recent survey, criminal justice issues ranked as the most important concern of my constituents and with this Liberal government, it is little wonder.

Liberals have done nothing to fight marijuana grow ops. Conservatives will shut them down.

Liberals have done nothing to fight street racing. Conservatives will make it a crime.

Liberals have done nothing to fight the rise in home invasions and auto theft. Conservatives will get tough on property crime.

Liberals have done nothing to fight date rape drugs. Conservatives will protect women from those who abuse them.

Liberals have done nothing to fight child pornography. Conservatives will raise the age of consent, have an effective sex offender registry and ban all forms of child pornography.

Liberals have done nothing to fight violent criminals. Conservatives will impose consecutive, not concurrent, sentencing for violent thugs to hold them accountable.

The Liberals have had 12 years to make Canada safer. They have failed. However, hope is around the corner when Canadians throw out these corrupt Liberals and elect a new Conservative government.

IMMIGRATION

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, yesterday was a great day for Canada. Brampton—Springdale was pleased to host the Minister of Citizenship and Immigration and other fellow GTA colleagues for an announcement that strengthens the social fabric of our country.

Yesterday, the Liberal government once again delivered on a promise to ensure our nation's economic growth and competitiveness, allocating \$191 million dollars for three new initiatives that will enhance the efficiency and effectiveness of our immigration system and also address the concerns of many constituents across the country.

Reuniting sponsored parents and grandparents with their families, allowing international students the opportunity to work both during and after their educational programs and reducing application processing times for citizenship will ensure our country's long term economic viability.

We are a country of immigrants. Our nation's legacy will be stronger, thanks to our willingness to embrace newcomers.

* * *

CHINA

Hon. Bill Blaikie (Elmwood—Transcona, NDP): Mr. Speaker, this week marks the first anniversary of the visit of His Holiness, the Dalai Lama, to Parliament Hill.

As someone who met His Holiness at that time, I certainly remember being impressed with his wisdom, his humility and his sense of humour, but most of all, his commitment to non-violence as a way of solving Tibet's longstanding grievance against China.

As a member of the Parliamentary Friends of Tibet, I want to urge the Chinese government to rethink its policy toward Tibet. I also want to encourage the Canadian government to work to ensure that Beijing takes concrete measures to further the current dialogue between representatives of the Dalai Lama and China with a view to a negotiated solution.

The Dalai Lama embodies the hope that peaceful struggle is a superior alternative to terrorism and violence. We all have a responsibility to make sure that such an approach succeeds and that some day soon the Tibetan people will have meaningful autonomy.

In the meantime, China's demographic strategy in Tibet should cease, and those who may be aiding it, like Bombardier by building a railway to help such a policy, should rethink their policy as well.

* * *

[*Translation*]

CONSERVATIVE PARTY

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, the Conservative Party is set to make major gains in Quebec in the next election.

Josée Verner is already recognized as a member of this House by the Bloc Québécois itself, which is a signal that she will be a formidable opponent in the next election.

For the past year, Ms. Verner has been the voice of the Conservative Party in Quebec. She is so effective that, in a recent interview on Radio-Canada, the member for Québec commented on Ms. Verner's work as if she were already an MP. Through her comments, the member for Québec has publicly recognized the formidable presence of Ms. Verner in Quebec.

The Conservative Party, therefore, wants to take this opportunity to pay tribute to the dynamic and excellent work of the chair of its Quebec caucus. We are confident that the hard work done by Ms. Verner will lead to her resounding victory in the riding of Louis-Saint-Laurent, and that of the entire Conservative team throughout Quebec.

* * *

PRIME MINISTER

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, the Prime Minister, who presents himself as the voice of democracy, has just shown his true face, that of a Prime Minister who has lost all moral authority to govern.

Stopping at nothing in order to avoid being judged publicly, the Prime Minister has decided to postpone the sitting days reserved for the opposition parties. His goal is clear: to prevent the introduction of a motion of non-confidence in his government, which would result in an immediate election.

Yesterday, he was accused by Warren Kinsella, a dyed-in-the-wool Liberal, for not complying with the rules governing the awarding of public opinion research contracts when he was finance minister in the 1990s. So it is no surprise that he is panicking.

This says a lot about the Prime Minister. It says a lot about the Liberals.

* * *

•(1415)

[English]

POPE BENEDICT XVI

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, we have just received word from Rome that a new Pope for the Roman Catholic Church has been named. He is Joseph Cardinal Ratzinger from Germany.

Canadians of all faiths wish him well and pray for God's blessings on his pontificate. The papacy has played a far-reaching and positive role in world affairs during our lifetime. We have every expectation that this will continue.

The new pontiff will face great challenges, but he has the example and record of his predecessor, the beloved John Paul II. He showed the world what an individual of immense faith could accomplish.

Stepping into the shoes of that future saint is a daunting task, but the new Pope will have the comfort of knowing that he will take with him the prayers of the world, the protection of the great Mother of

Oral Questions

God and the blessing of the God who has guided all his predecessors back to St. Peter.

God Bless Pope Benedict XVI.

* * *

[Translation]

CANADA'S INTERNATIONAL POLICY STATEMENT

Hon. Raymond Simard (Saint Boniface): Mr. Speaker, today the Minister of Foreign Affairs presented the government's International Policy Statement. It is intended to strengthen Canada's role in the world and includes strategies in four key areas: development, defence, international trade and foreign affairs.

The Liberal government continues to show the way as far as world issues are concerned. In this statement, it defines a multilateral foreign affairs strategy which favours enhancing the effectiveness of the UN Security Council and creating a peacebuilding commission.

Our government also understands that we need armed forces with the ability to adapt to new global security requirements. To that end, we will be allocating additional sums to improve training, upgrade infrastructures and resolve the equipment shortage problem.

Canada's contributions to development, diplomacy and peace-keeping have earned it a reputation as a committed and contributing member of the international community.

* * *

[English]

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Margaret Wilson, Speaker of the House of Representatives of New Zealand.

Some hon. members: Hear, hear!

ORAL QUESTION PERIOD

[English]

GOVERNMENT CONTRACTS

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, yesterday's sworn testimony at the public accounts committee makes it clear that the Prime Minister funnelled tax dollars to Earnscliffe and his campaign manager David Herle. A top secret document dated 1995 says that at least \$615,000 in improper contracts had already flowed. A memo outlines that the competition was flawed, the payment excessive, the work probably not needed.

As David Herle prepares yet another campaign of dirt and slander, should the taxpayers of Canada not know that it is money going from finance to Earnscliffe that gave birth to it all?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker—

Some hon. members: Oh, oh!

Oral Questions

The Speaker: Order. I am sure the hon. Deputy Prime Minister appreciates the enthusiastic support, but we have to be able to hear the answer.

The Deputy Prime Minister has the floor.

Hon. Anne McLellan: Mr. Speaker, first, I hear all those hon. gentlemen and women across the way calling out, “Where is the Prime Minister?” Let me tell everyone where the Prime Minister is.

This morning we had a most successful launch of this government's international policy statement which in fact speaks to the direction in which this government wants to take our country as it relates to our role in the rest of the world. The Prime Minister is now meeting with some of the globe's most important and influential ambassadors to ensure that they understand the role we want—

• (1420)

The Speaker: The hon. Leader of the Opposition.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, there is not a person in Canada who does not understand that these announcements are about a government that has done nothing for 12 years and is now trying to run away from a rocky record of corruption.

Why does the government not just admit, as public servant Allan Cutler testified, that the Prime Minister abused the process to get contracts to his friends at Earncliffe, to his campaign manager David Herle? Why does he not just admit that he got public money to his political associates?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, we have the views on this subject of the Auditor General of Canada. I would quote from her report in 2003:

Our review of a sample of standing offers found that the competitive process had been followed in pre-qualifying suppliers. Requests for proposals were issued, and the selection process resulted in standing offer agreements with the successful bidders.

We note that the vast majority of these suppliers were not the same as those providing sponsorship or advertising services.

The opposition should pay attention to the relevant parts of the testimony.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, I fail to see how breaking the rules on ordinary contracting makes any difference that it was not sponsorship.

The Prime Minister said last week in the House, “I have never interfered in any contract”, yet Warren Kinsella testified under oath that the Prime Minister phoned him at home to push for a contract to Earncliffe.

With the Prime Minister caught in the biggest scandal in history, in the web of his own deception, should he not be here to answer questions on the floor of the House?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, in reference to that testimony yesterday, I would note that in today's *Toronto Star* the former policy adviser to the Prime Minister, Eddie Goldenberg, completely denied a number of the allegations that were made by Mr. Kinsella.

I would also note that in reference to the credibility of Mr. Kinsella, this House has already been warned to be careful in that

matter. There is a reference to the “poisoned partisans like Warren Kinsella”, and that advice comes from the deputy leader of the Conservative Party.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, I have a very simple question. When each group of Liberals calls the other group of Liberals a bunch of crooks and liars, does it really matter which one we believe?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, in matters like this, yes indeed, the truth does matter a lot. I would refer the hon. gentleman to the Auditor General's report from the year 2003, or the external audit that was conducted by Ernst & Young in 1996. Let me quote that one. Ernst & Young said:

Our audit of the research contracting process determined that APORS was in compliance with prescribed policies and procedures.... We found no instances where non-compliance might have led to situations of personal gain or benefit.

The truth does matter.

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, it is hard to audit envelopes of cash.

Yesterday at the public accounts committee it was revealed by a longtime Liberal strategist that there was concern within the Liberal government as far back as 1995 that government contracts were being used to cross-subsidize the Prime Minister's leadership campaign activity.

Under sworn testimony Warren Kinsella said, “I and perhaps others would consider it inappropriate that you cross-subsidize that political activity using the public treasury. That's inappropriate”.

Will the Prime Minister now admit that he was both informed and involved in an ad scam-like kickback scheme to use taxpayers' money to fund his leadership campaign?

The Speaker: Order. I have some reservations about questions concerning the financing of party leadership campaigns. I see the minister is rising. I urge all hon. members to be cautious with their questions. The hon. Minister of Finance.

• (1425)

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the Prime Minister will make no such concession as the deputy leader of the Conservative Party has asked for. Today the member is relying heavily upon the views and the comments of Mr. Kinsella. I would simply ask him why then, not very long ago, did he call that individual “a poisoned partisan”?

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in November 1994, Warren Kinsella wrote Terrie O'Leary about a contract awarded Earncliffe, and I quote:

Terrie, all of this spells trouble and you know it. The competition was flawed, the payment is excessive, the work is probably not needed, and the research community can be fully expected to blow the whistle on the political connections here.

Oral Questions

Given this statement, will the Prime Minister finally recognize that his entourage intervened to get the contract awarded to Earncliffe, the firm employing key players in his leadership campaign?

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the very period referred to by the hon. gentleman was subject to an independent external audit conducted by Ernst & Young which covered the period from 1994-96. It was reported in 1997 and it says:

Our audit of the research contracting process determined that [the agency at the Department of Public Works] was in compliance with prescribed policies and procedures.... We found no instances where non-compliance might have led to situations of personal gain or benefit.

That is the independent audit.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, Warren Kinsella was testifying under oath, with evidence. Not only must there be no conflict of interest, there must appear to be no conflict of interest. So we have the executive assistant of the former finance minister, now Prime Minister, who happens to be the wife of someone working at Earncliffe, and the contract is awarded to Earncliffe.

Is this not a conflict of interest? I would like to see what sort of birthday card he sends to the spouse and to the woman who was his assistant.

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the hon. gentleman obviously has a very subservient view of women in this world which I think is unsavoury. I would point out that the sworn testimony that he refers to has in fact, not within 24 hours, been contradicted. Indeed, there is a public audit conducted independently by Ernst & Young of the very period that the hon. gentleman is talking about that determines that the proper procedures were covered.

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, the Prime Minister was aware of the interventions made to ensure Earncliffe got the contracts for the Department of Finance, because he intervened himself to add pressure.

What does the Prime Minister have to say about Mr. Kinsella's statement under oath that the former finance minister had even called him at home to complain?

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, there is absolutely no evidence of such a mythical phone call.

As many of the media outlets are reporting this morning, despite the raucous atmosphere around the committee yesterday, there was absolutely nothing new in substance that was presented. All of these matters have been previously covered over and over again. The documentation is the same, and indeed it supports the case that the staff of the former minister of finance was arguing for more contracting competition, not less.

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, indeed, the documents submitted in evidence to the Standing Committee on

Public Accounts show beyond any doubt that the finance department intervened at least four times—and this has been confirmed—to promote Ekos, Earncliffe and Everest.

How could the Prime Minister say here in this House on April 14 that he knew nothing and had never intervened in this regard, when documents show, on the contrary, that the Prime Minister was running his own little parallel sponsorship scandal?

• (1430)

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the documentation does not in fact demonstrate what the hon. gentleman is alleging. The documentation demonstrates that the office of the former minister of finance was arguing for more competition, not less competition, and indeed, the contractual arrangements complained about were inherited from the previous Conservative Mulroney government.

* * *

DEMOCRATIC REFORM

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I want to see if the Prime Minister understands why people are so disappointed in him right now. He said that he would improve and respect Parliament, that he would improve and respect democracy, that he would tackle the democratic deficit.

How can shutting down the right of this House to hold the government to account be consistent with what he said he would do?

Some hon. members: Oh, oh!

The Speaker: Order. Once again I am sure the government House leader appreciates the accolades, but we have to be able to hear the answer. The hon. government House leader has the floor.

Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, in fact I hear the cat calling across the way. It is quite typical of the official opposition in particular.

The members opposite can stomp their feet and yell and scream, but what really happened yesterday is that the official opposition was trying to do something very sneaky and it got caught. That is what happened.

There are six remaining supply days. All of those need to be allotted before June 23. In fact all of those six allotted days will be allotted.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Prime Minister should be in this House today to answer this question. We do not need any backup from that hon. member as—

The Speaker: I would remind hon. members that they cannot refer to the presence or absence of members. The previous reference was on very thin ice because it might have been taken that the Prime Minister was not answering. The hon. member is suggesting the Prime Minister is not here and he knows that it is improper to make reference to the absence of hon. members. What goes around comes around. The hon. member for Toronto—Danforth will proceed with his question.

Oral Questions

Hon. Jack Layton: Mr. Speaker, it is the Prime Minister who is on thin ice. He is out making announcements apparently about how we are breaking our promise to the world on foreign aid. He should be here to defend his government—

The Speaker: I am not sure if there was a question there. We will move on to the hon. member for Calgary—Nose Hill.

* * *

GOVERNMENT CONTRACTS

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, here is what we have. We have the Prime Minister when he was finance minister directing contracts to a firm, the head of which was the chief architect of his leadership bid and the same person who was the partner of the Prime Minister's then chief of staff.

Contracts involved, government contracts involved, all mixed up with the Prime Minister's leadership bid and political work.

Only the Liberals could fail to see a problem in that. Why will they not just admit something was wrong?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the mere repetition of allegations does not in fact make them true.

It is obvious that there were substantial defects with the testimony offered in the public accounts committee yesterday because in less than 24 hours substantial portions of that testimony have already been contradicted.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, mere denial of allegations does not make them untrue either and the government should know that.

Here we have a key Liberal who was a chief of staff of another minister, who was supposed to be overseeing the contracting process, concerned about the Prime Minister interfering in that process.

We have, under oath, a key Liberal accusing the Prime Minister of doing something improper. Then we have the Liberals saying, "Oh well, other Liberals have contradicted that".

Which Liberal version of the truth are Canadians supposed to believe?

• (1435)

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, I believe the evidence provided under oath by the Prime Minister and members of his staff is indeed credible and reliable.

I would point out that if the hon. member is not satisfied with that, she has the opinion of the Auditor General who examined this matter and said that it complied with the rules. She also has the opinion and the advice of an independent auditor, Ernst & Young, that also examined the matter and found that no rules had been broken.

There are lots of opinions that indeed publicly and professionally support the Prime Minister's view.

* * *

SPONSORSHIP PROGRAM

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, Claude Boulay, who worked on the Prime

Minister's leadership campaign, to whom the Prime Minister writes very glowing and very personal letters, received \$67 million in sponsorship cash when the Prime Minister was the finance minister.

The Prime Minister's campaigns and the Liberal Party were financed by Boulay and Boulay was financed by dirty money from the sponsorship inquiry.

Why will the Prime Minister not tell the whole truth about his relationship with Claude Boulay? Is it a guilty conscience?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the Prime Minister has been absolutely clear and completely truthful about his relationship with Claude Boulay. He has said over and over again in this House and I have said that the Prime Minister never lunched with Claude Boulay in relation to the direction of any contract to anyone.

I do not understand what the opposition does not get about the fact that the Prime Minister has been absolutely forthcoming about his relationship with Mr. Boulay.

In fact, the hon. member can read his testimony before the Gomery inquiry.

[*Translation*]

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, on April 14, the Prime Minister denied having dined with Claude Boulay, but Alain Renaud has stated that the Prime Minister did dine with him. Now we learn that, when the PM was finance minister, Mr. Boulay received over \$67 million in sponsorships.

Why is the Prime Minister denying his relationship with Mr. Boulay? Is it because this would directly implicate him in the sponsorship program?

[*English*]

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the Prime Minister is not hiding anything here. He has been absolutely clear about his relationship with Mr. Boulay.

The Prime Minister testified before Gomery. The member should read that testimony. The Prime Minister said in this House that he did not have lunch with Mr. Boulay, or anyone else as far as that goes, in relation to directing any contract to anyone. How much clearer can the Prime Minister be?

[*Translation*]

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, an internal PWGSC memo dated July 24, 1995, we learned that nearly \$298,000 in contracts was awarded by dubious means to Earnsccliffe, a firm with close ties to the Prime Minister, in 1994 and 1995, by the finance department.

Why is the Prime Minister trying to make us believe that he knew nothing, when his department did this for Earnsccliffe, which had close ties with him, was involved in his leadership campaign and was headed by the husband of his chief of staff? Those are a lot of coincidences for one man.

*Oral Questions**[English]*

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, there is nothing on the written record or on the public record that would indicate anything but an appropriate competitive process was followed in this case. As a matter of fact there have been two audit reports that have confirmed that, one by the independent external firm of Ernst & Young and one by the Auditor General of Canada.

[Translation]

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, speaking of the sponsorship scandal, a few short months ago, we were told exactly the same sort of thing, until we learned the extent of the turpitude of this government and the illegal activities.

Today, the Prime Minister is also in up to his neck, as are his friends, his chief of staff, his officials, his department and a firm closely involved with him and his leadership campaign. There are too many coincidences, too many accusations and too much evidence. He will not get out of this.

Can the Minister of Finance tell us why we should accept this and not be scandalized by the Prime Minister's actions?

● (1440)

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the government has said from the very beginning that where there was wrongdoing it must be identified, it must be condemned and it must be thoroughly punished.

That is why we called in the Auditor General, why we called in the RCMP in those cases that were appropriate and, most important, why the Prime Minister, within a half an hour of receiving the Auditor General's report in the spring of last year, called the Gomery inquiry to get to the bottom of this issue and make sure it was thoroughly exposed.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, Alfonso Gagliano said that the current Minister of Transport had approached him to put in a good word for his friend François Duffar of Cossette, a company trying to land federal contracts.

Does the Minister of Transport recognize that what he did for Cossette, despite what he says, was nothing short of lobbying?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, that is not true, but we know that Groupaction employees gave \$100,000 to the Parti Québécois and that Groupaction won contracts from the Société des alcools du Québec and Télé-Québec.

That is quite something for a party that claims to be clean.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, we were talking about Cossette. The Minister of Transport would have us believe that he invoiced only for policy analysis or brainstorming, but not for time spent arranging meetings with ministers for his friends, and their subsequent meals.

Does the Minister of Transport think we believe that? No one believes the Minister of Transport.

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, it is also interesting to note that Groupaction won a contract from Société générale de financement, which is headed by the husband of former PQ minister Pauline Marois.

During the last election campaign, Ms. Marois worked in support of the Bloc. Again, quite something for a party that claims to be clean.

[English]

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, the Prime Minister testified that he barely knew Groupe Everest president, Claude Boulay, and his wife. Yet the Prime Minister's letters entered into evidence show this relationship was in fact warm and quite personal.

Here is what he said about Boulay's wife, the queen of Liberal ticket sellers, "I still believe that the years wash over Diane with such grace and beauty that she remains youthful", a statement so fresh to an acquaintance it deserves a slap.

Will the Prime Minister finally admit that his Gomery testimony was not the full truth?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as I said yesterday, I think we all send out such letters of congratulations on people's birthdays, anniversaries and other special occasions.

As I also said yesterday, I think it is absolutely ridiculous that the opposition takes this simple letter of birthday congratulations and turns it into something that it simply is not.

The Prime Minister has been absolutely clear about the nature of his relationship with Claude Boulay.

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, if the Prime Minister wrote a letter like that to my wife, I would have him outside this House real quick.

According to the Prime Minister's Office, the Prime Minister sent out 53,000 greetings last year. I have a very simple question. I would like to know how many he sent out when he was finance minister and how many of those greetings referred to wine, golf games and hot wives?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Prime Minister of Canada sends out about 50,000 birthday and anniversary letters every year. The fact is that last year I received a Christmas card from the member for Calgary—Nose Hill. In the card it said, "Ron and I send Christmas greetings and wishes for good cheer now and the whole year through". In fact, not only was it a very pleasant greeting but she drew a happy face with her name on it.

I do not know why she drew that happy face because, frankly, I have not seen a happy face on the member for Calgary—Nose Hill for a long time. Was she hitting on me, Mr. Speaker, or trying to—

● (1445)

The Speaker: Now we will hear from the hon. member for Calgary Southeast.

Oral Questions

[Translation]

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, well before his intimate letters of—

Some hon. members: Oh, oh!

[English]

The Speaker: Maybe we should start again. I realize there is a lot of merriment in the chamber at the moment but the hon. member for Calgary Southeast now has the floor and I am sure he is going to ask a serious question.

[Translation]

Mr. Jason Kenney: Quite right, Mr. Speaker. Well before he sent his intimate letter to Claude Boulay in 2001, the Prime Minister sent another “Dear Claude” letter in 1994, in which he stated, “The services you provide could be of interest to the federal office of regional development for Quebec, of which I am the minister responsible. Your letter has been forwarded to my office in Montreal”.

Is this not proof that the Prime Minister intervened in order to make sure his buddy Claude Boulay got some of the dirty money?

[English]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the simple answer to the hon. member's question is no.

Part of the testimony that we have heard, as indicated by Mr. Boulay, was that he has done business with the Government of Canada going back to 1984. That was not a Liberal government; that was a Conservative government.

Mr. Boulay has dealt with the Government of Canada and has done business with the Government of Canada for over 20 years under successive governments.

Mr. Jason Kenney (Calgary Southeast, CPC): Yes, Mr. Speaker, and he has known the Prime Minister for some 20 years. Why is it then that the Prime Minister said it was a short term relationship? Why is it the Prime Minister said that he barely knew him when the Prime Minister was recommending him for business 11 years ago, when he was commenting on the good looks of his wife four years ago and when he was working on the Prime Minister's leadership 15 years ago?

Why did the Prime Minister not tell the whole truth under oath to Canadians?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Prime Minister of Canada always tells the truth and he did tell the truth under oath.

The fact that they take one of the 50,000 anniversary and birthday letters that the Prime Minister sends out every year and try to make an issue out of it is absolutely shocking. It speaks to the desperation that they have in trying to sully the reputation of the most respected and trusted political leader in Canada. They will not succeed because Canadians know that they can believe our Prime Minister.

IMMIGRATION

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, new Canadians are very concerned about the proposal of the hon. member for Newton—North Delta who demands his constituents post a \$50,000 to \$100,000 bond in return for support of short term visa applications—

The Speaker: Order, please. I am afraid there is a slight problem with the hon. member's question in that under the Standing Orders of the House of Commons, matters that have been referred to the Ethics Commissioner for a review cannot be raised as questions in the House.

The Standing Orders were adopted very recently and I would refer the hon. member to that, so he will want to avoid a reference to that in his question. If he has a question for the Minister of Citizenship and Immigration, he will want to put it directly.

Mr. Ken Boshcoff: Thank you, Mr. Speaker. Could the Minister of Citizenship and Immigration outline some serious initiatives the government has taken to improve our system of immigration?

Hon. Joseph Volpe (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I welcome the question, which is a serious question regarding governance and the programs the government is putting forward. I was pleased yesterday on behalf of the Government of Canada to indicate three initiatives in our immigration and citizenship program, things that are of no interest to members opposite, the Conservative Party members or others.

We accelerated the process by which parents and grandparents will be brought into the country. As well, we put in a program for regionalizing immigration and recruiting more international students who will be trained here and who will be given an opportunity to gain Canadian experience and then locate in regional municipalities. That is unification and that is—

● (1450)

The Speaker: The hon. member for Halifax.

* * *

INTERNATIONAL COOPERATION

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the Prime Minister has made speeches ad nauseam about launching a policy review on how to give the world more of the Canada the world wants.

Two years later, the foreign policy review is stillborn. Mr. Dithers has become Mr. Do Nothing with his betrayal of our 0.7% commitment for overseas development assistance.

Why, to the collective embarrassment of Canadians, has the Prime Minister gutted our commitment to meet our millennium development goals and made our contribution to making poverty history?

Oral Questions

Hon. Aileen Carroll (Minister of International Cooperation, Lib.): Mr. Speaker, I am very proud as Minister of International Cooperation to have joined my colleagues in the release today of the international policy statement. It is an excellent portrayal of where the Prime Minister will take us and Canada in its role in the world.

The government is aiming for 0.7%. We are aiming to continue to increase our aid in the international assistance budget by 8%. We will see it doubled by the year 2010. In the last year alone we have seen an increase of 21%, which by any federal budget comparison is a remarkable benchmark. We are standing proud in our—

The Speaker: The hon. member for Halifax.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I cannot imagine the embarrassment of the CIDA minister in trying to explain why Canada has said that it wants to be a leader in meeting its 0.7% commitment to overseas development assistance. In the absence of an implementation plan, in the absence of timetables and targets from the Prime Minister, Canada may reach its commitment to 0.7% by the year 2035.

How can the minister defend the broken promises on this—

The Speaker: The hon. Minister of International Cooperation.

Hon. Aileen Carroll (Minister of International Cooperation, Lib.): Mr. Speaker, this year alone saw our budget in the international assistance envelope go to \$3.7 billion. In five years we will be at more than \$5 billion.

What this government and this team know is that aid is far more than just volume. It has a great deal to do with aid effectiveness. What has been announced today gives us five sector priorities and gives us 25 countries with which we will have a very strong development relationship. That is about aid effectiveness.

* * *

GOVERNMENT CONTRACTS

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, apparently the Prime Minister has entered the witness protection program, so let us try a question for the finance minister.

In 1995 David Dingwall wrote the following to the current finance minister when he was the agriculture minister:

In addition, three projects have been funded through “contributions”. I’m concerned this method of funding could become a means to avoid the normal procedures for public opinion research.

My Department has made efforts to inform Agriculture and Agri-food Canada officials of the policies. It would be helpful if you could reinforce these efforts along with the concern about contribution arrangements for public opinion research.

How can the finance minister stand up and say—

The Speaker: The hon. Minister of Finance.

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the issues raised by the then minister of public works were referred properly and immediately to the deputy minister of agriculture. The deputy minister of agriculture made sure that within the Department of Agriculture all the procedures were properly followed.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, it must be pretty embarrassing to get chastened by somebody like David Dingwall.

This was exactly the same thing that was happening in the Department of Finance as has happened in the sponsorship program. Money went from the Department of Finance to Earncliffe back to the Prime Minister’s leadership campaign. How can anyone believe that the Prime Minister, who said he would leave no stone unturned, will actually look at all, given that he is doing exactly the same thing?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the hon. gentleman is drawing his crayon on the paper but he is not connecting the dots. The fact of the matter is that all the evidence on the record indicates that the Prime Minister and his staff sought to increase competition, not to decrease competition. That is verified by at least two reports of two auditors: Ernst & Young externally and the Auditor General of Canada internally.

* * *

● (1455)

NATURAL RESOURCES

Mr. Gerald Keddy (South Shore—St. Margaret’s, CPC): Mr. Speaker, the Liberal government has buried Nova Scotia and Newfoundland’s offshore moneys in the implementation bill. Then, for no apparent reason, it took the implementation bill off the order paper, adding another delay to what has already been too long a process. Apparently the implementation bill is back on the order paper, confirming that the Liberal government is playing games with the accord and treating Atlantic Canadians with disdain.

Will the Prime Minister split the offshore accord from the budget and pass it today?

Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the budget implementation bill is on the order paper. I offered to the House on a previous occasion and I will offer it to the House again: I will ask for unanimous consent to move all three stages of the budget implementation bill, have it passed and send it off to the Senate. Atlantic Canadians would have the Atlantic accord. The money for the new deal for cities and communities would flow to the communities. The child care program would be in place and \$700 million would go to provinces for child care.

The hon. member should not suggest that we are not proposing this. What the hon. member needs to do is convince the rest of his colleagues to pass the budget implementation bill.

Mr. Loyola Hearn (St. John’s South—Mount Pearl, CPC): Mr. Speaker, they would love to see—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for St. John’s South—Mount Pearl has the floor.

Mr. Loyola Hearn: Mr. Speaker, the Liberals would love to see the 24 clauses passed without scrutiny or due diligence because that is the way they operate.

Oral Questions

First of all, the Prime Minister had to be pressured into promising the deal. Then it took months of more pressure from us and the provinces to get an agreement. The government refused to bring forth stand-alone legislation. Then the Liberals eliminated our opposition day when we could have debated this. Now they are playing around with Bill C-43. Why does the government not want to give the provinces their money?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the opposition has said it supports the Atlantic accord. Those opposition members have said that they support the provision of money to pensions. They say they will not stand in the way of the changes in RRSPs. They say they support national defence. They say they support the tax reductions. They are now even implying that maybe they are warming up on the issue of climate change.

It is all in the budget. It is all in the budget bill. Pass it.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, the international policy statement released this morning trivializes the UN, opens the door to an unclear new multilateralism and makes possible the alignment of Canada's foreign policy with that of the United States.

Will the government acknowledge that its policy statement would suggest that it has decided to align its foreign policy with that of the United States?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, I greatly appreciate my colleague's interest in our international policy statement. I can certainly reassure her by stating that, on the contrary, it is intended to strongly commit Canadian diplomacy in favour of the reform of the United Nations.

We believe in multilateralism and it is precisely because we believe in it that we want to make it more effective. When it is not, that is when some countries choose not to respect this system which is of such importance to the international community. We do, of course, want a special relationship with the United States, but Canada is where—

The Speaker: The hon. member for Terrebonne—Blainville.

* * *

INTERNATIONAL COOPERATION

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, the government has expressed its agreement with the UN objective of having each country give 0.7% of its gross national product in international aid by 2005.

The Prime Minister had no hesitation appearing on stage with the singer Bono, where he made international aid commitments. With this new policy, he has shown today that he does not want to do anything, or not much, and that he does not keep his word. Why?

• (1500)

[English]

Hon. Aileen Carroll (Minister of International Cooperation, Lib.): Mr. Speaker, the Prime Minister's direction and the goals he

has set are admirable. I am very proud to be a part of where he takes us in Canada's role in the world.

I think it is incredibly important to take a look at where we were and where we are. We have seen an increase of 21% in our aid in the last year. We have a commitment for 8% to continue until we double by the year 2010. This government has made a serious commitment. We are increasing and doing so in a very accelerated manner. His commitment is clear. This government is clear. This is an effective and good development team.

* * *

TERRORISM

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Mr. Speaker, Canadian victims of terrorism are here today advocating for legislation which would force terrorist groups in Canada and the foreign governments which sponsor them to be held financially accountable for their actions. Unfortunately, the government has a history of dithering when it comes to officially banning terrorist groups in Canada.

I wonder if the government would abandon its go slow policy and send a signal today that it will move swiftly to ban terrorist groups so the victims can be compensated. Justice delayed is justice denied.

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we have listed a whole series of groups as prohibited terrorist organizations for fundraising purposes. I understand the member's representations with regard to giving a recourse to victims of terror and I have asked my officials to look into that situation. I should say that right now our position on state immunity is consistent with what is the practice of states, but we will be looking into it.

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Mr. Speaker, a number of states are moving on this. Today we heard from Canadians affected by the Air-India bombing, the 9/11 disaster and the homicide bombing of a Canadian in Jerusalem, but regretfully, representatives of Canada's Tamil community had to cancel their appearance here at the last minute. They had received threats to their safety because they were going to talk about the terrorist group, the Tamil Tigers.

The Tamil Tigers are only partially restricted in Canada but are fully banned in the United States and Great Britain. Why is our government content to just scold some groups like this instead of fully banning them so that victims can be fully compensated?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as I have said before in this House, we take the listing process very seriously. In fact we constantly review and update our list of listed entities under the Criminal Code, as I think the hon. member knows. Of course the organization to which he refers is listed under UN regulation and can be pursued in this country and elsewhere.

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, Accenture, a U.S. based research company, recently released its global study on leadership and customer service, and for the fifth year in a row Canada is being recognized as a world leader in government service online delivery.

Could the Minister of Public Works explain how this leadership in government service delivery will benefit rural Canadians?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, for the fifth consecutive year the Government of Canada online initiative, headed by Public Works, has been ranked first out of 22 countries surveyed in North America, Europe and Asia. Canada has outranked the United States, Denmark, Singapore and Australia.

Government online is giving Canadians in all parts of the country the ability to access government services anywhere, anytime, in either of Canada's official languages. Further, we are leading the world in electronic delivery of government services of public works, and this is great news for Canadians.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of one of this year's recipients of the Thérèse Casgrain Volunteer Award, Ashraf Ghanem.

GOVERNMENT ORDERS

● (1505)

[English]

CIVIL MARRIAGE ACT

The House resumed consideration of the motion that Bill C-38, an act respecting certain aspects of legal capacity for marriage for civil purposes, be read the second time and referred to a committee, and of the motion that this question be now put.

Mr. Jim Prentice (Calgary Centre-North, CPC): Mr. Speaker, my comments today commence with the metaphor relied upon by Pope John Paul II in 1988 in his encyclical letter which said:

Faith and reason are like two wings on which the human spirit rises to the contemplation of truth—

The bill involves the balancing of two of the fundamental personal freedoms which are protected under the charter: freedom of religion on the one hand and individual equality rights on the other. The legislation therefore, by definition, takes us into the realm of both faith and reason.

I speak today on behalf of the people of Calgary Centre-North, and in so doing I point out that this issue is one on which there is a wide divergence of opinion because of the unique geography and demography of my riding.

I have learned through extensive consultation with the constituents of Calgary Centre-North that there is a diversity of opinion on this question. I will attempt today to reflect in my comments what I have

Government Orders

heard. The vast majority of my constituents do not wish to see this as an issue which divides Canadians.

[Translation]

I would also like to recognize in the House the courage of our leader, the hon. member for Calgary Southwest, who had the strength and integrity to allow Conservative MPs vote freely on this motion. In fact, at the last Conservative Party policy convention, members adopted a policy authorizing a free vote on moral issues such as this.

The Liberal Party and its leader have neither the courage nor the faith in their own MPs and parliamentarians to do likewise.

● (1510)

[English]

Let me begin with the province of faith, for I am a Christian and there are strong communities of faith in my riding, both Christian and otherwise. Even among Christians there are strong disagreements on this matter. I emphasize that freedom of religion is central to who we are as a nation.

Subsection 2(a) of our charter provides that freedom of conscience and religion is a fundamental right of every Canadian. Freedom of religion lies at the heart of our free and democratic society.

[Translation]

This freedom was guaranteed under the British North America Act, even before this country was founded. In 1774, shortly after the British conquered North America, the British House of Commons adopted the Quebec Act, which ensured freedom of religion.

[English]

The Canadian Bill of Rights of 1960 provided protection for freedom of religion and throughout our history, whether it be beneath the shelter of the charter, the bill of rights, or the freedom of worship legislation of which I speak, we have stood as Canadians in defence of freedom of religion. In my own riding strong Christian congregations, such as the Centre Street Church, flourish in the shelter of freedom of religion.

Bill C-38 is limited to civil marriage. It has no bearing upon religious marriage or its solemnization. Clause 3 of the bill provides:

It is recognized that officials of religious groups are free to refuse to perform marriages that are not in accordance with their religious beliefs.

In the marriage reference decision of 2004 the Supreme Court of Canada concluded in clear language that any attempt to compel religious officials to perform same sex marriage almost certainly runs afoul of the charter and would violate the charter. The court also stated that the same holds true for any attempt to compel the use of sacred places for same sex marriage.

[Translation]

In my opinion, this observation by the Supreme Court sufficiently clarifies the distinction between religious marriage and civil marriage under federal legislation.

Government Orders

However, provincial legislation must still be amended; this is no small task. Legally, the provinces are responsible for issuing marriage licences to couples, be they heterosexual or homosexual.

[*English*]

I am somewhat surprised by the absence of attention to the provincial ramifications of this federal bill. In the marriage reference even the Supreme Court pointed out that the provinces will have to pass legislation relating to the solemnization of marriage so as to protect the rights of religious officials while providing for the solemnization of same sex marriage.

In my view provincial legislation needs to be adopted in each province to address the following issues: first, the right of religious officials to refuse to perform marriage ceremonies with which they disagree; second, the right of religious groups to refuse to make real property which they own or control available for the performance of marriage ceremonies or celebrations with which they disagree; third, the right of public officials to decline to perform marriage ceremonies with which they disagree; and fourth, the right of religious groups to maintain their charitable status irrespective of the beliefs which they hold in respect of marriage.

I am of the view however that the proposed bill does not violate freedom of religion or to the opposite sex requirement which many, although not all, religious groups believe is a precondition to religious marriage.

I return then to reason, accepting that it can never be entirely divorced from faith. Clause 2 of the bill provides that:

Marriage, for civil purposes, is the lawful union of two persons to the exclusion of all others.

Let me be clear. I have been married to the same woman for 21 years, reflecting my own personal definition of a marriage. It is not however the personal definition of many of our fellow citizens who are homosexual and who have sought the protection of the charter to obtain civil marriage licences from the government. In a constitutional democracy, such as Canada, what should we do about such a conflict?

• (1515)

[*Translation*]

This begs the fundamental question: what right do we have, as a society, to deny homosexual Canadians something the rest of us are entitled to, namely a civil marriage licence?

As hard as it is to admit, the answer is quite clear, in my opinion. We have no such moral authority because relationships between individuals, of any gender, do not concern the government as long as these individuals are not harming anyone.

[*English*]

I am a Conservative and this is the philosophy that guides me in public life. I have previously referred to John Stuart Mill who commented that “over his own body and mind, the individual is sovereign”.

The recognition of same sex marriage does not discriminate against nor harm opposite sex married couples. Recognition of the equality rights of one group does not violate the rights of another.

Many of my constituents are concerned about the risk of societal harm and I understand the fervour with which they hold that point of view. Others see little or no such risk. As a member of Parliament I have attempted to weigh these concerns, noting that my constituents are completely divided on the subject.

[*Translation*]

In the end, I have decided to defend the constitutional right of homosexual couples to civil marriage. The proposed legislation is consistent with the Constitution, the charter and our history as a tolerant nation.

[*English*]

I will be equally vigilant in defending religious marriage and religious freedom, for it is equally clear that neither the Christian community nor the other communities of faith can be compelled to accept or perform same sex marriage. That freedom, to quote the Supreme Court, “will be jealously guarded by the courts”, and I say today that it must be jealously guarded also by this House. Religious freedom must stand sacrosanct and religious marriage must stand as the exclusive preserve of our communities of faith.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased again to speak to Bill C-38. I had an opportunity to speak on the amendment which, unfortunately, was defeated. I think the vote on that particular amendment, which was that the bill not pass a second time, showed that this House is divided. Indeed, Canadians are divided on this question.

There have been some very eloquent speeches about the issue of granting marriage. I know in my own speech I spent a fair bit of time talking about the charter and how important the charter was, and reviewing cases up to the Ontario Halpern decision in which something had changed.

Up until that time the courts had ruled that section 15 of the equality provisions of the charter were in fact being infringed, and under a section 1 analysis, which permits infringements of some of the charter provisions, it dealt with it on the basis of whether it was demonstrably justified in a free and democratic society. It was not until the Halpern decision that the courts started to focus in on marriage as an institution. Unfortunately, the panel of three looked at marriage in a very mechanical way.

The court said that marriage as an institution was a declining institution. It pointed out that marriage breakdown or divorce was very prevalent and that obviously society at large was not very much interested in the institution of marriage.

The court also went on to look at the number of people who are seeking common law relationships rather than married relationships. That again is a precise indication that marriage as an institution is a declining institution. Those numbers are continuing to rise. Indeed, Statistics Canada has projected that the number of common law relationships on the current trend line will in fact exceed married relationships within about 10 years.

Government Orders

As an institution marriage has come under attack. I know that many members are quite concerned about the social tendencies. The court went even further. The argument about children in marriage has been a matter which has been debated in this place substantively. The court basically said that there are situations where people can rely on reproductive technologies for instance to have children. There can be artificial insemination, in vitro fertilization and adoption. In fact, a same sex couple can indeed have a child from a previous heterosexual relationship. The existence of children within a same sex couple is not necessarily unusual.

The court literally trashed the institution of marriage as having relevance. The court basically said, under the section 1 analysis of the infringement, that it was no longer a reasonably justified infringement on the equality provisions and that the definition of marriage was indeed contrary to the charter.

Here is where we are now. There is the Ontario court decision and then there were these copycat decisions in other provincial jurisdictions. Here we are in Parliament and I have heard petitions day after day reflecting what Canadians wanted to hear from parliamentarians. It was that the definition of marriage is in fact the responsibility of the Parliament of Canada. Parliament is still the highest court in the land, even above the Supreme Court of Canada. We now have this instrument in Bill C-38.

•(1520)

I find Bill C-38 a very peculiar bill. It is a bill which includes a variety of whereases. As well all know, the courts have indicated that whereases have absolutely no basis in terms of law.

There also is a clause in there which makes some peculiar reference to religious freedoms being protected. If we took everything away and left that one clause in, it absolutely has no result or consequences. The responsibilities vis-à-vis solemnization of marriage are, according to the Supreme Court decision *ultra vires*, a responsibility of the provinces not of the federal government. To have a statement recognizing that the solemnization of marriage is going to be taken care of is not within the jurisdiction of the Government of Canada. In fact, clause 3 has absolutely no relevance whatsoever in the legislation.

Ultimately, if we take out all the whereases and we take out clause 3, which has absolutely nothing to do with anything, we are left with one line and it says that marriage is the union of two persons. Bill C-38 is all about that. If we take the definition of marriage and we reduce it down to the union of two persons, it has no distinctiveness whatsoever. It has absolutely no defining characteristics. The debate has been about this. What are the defining characteristics?

We know what it is throughout history. We know that marriage pre-existed even religions. It is an institution which historically has been viewed as an institution which fosters an environment for the fundamental responsibility of all species, and that is to survive, to procreate. Marriage is that institution which has played this role. It has given people hope. It is why young people now are flocking back to marriage, and the numbers are changing. They see this as a stable institution.

We have had so many debates in this place about problems of domestic violence, poverty and problems in other social areas. The

conclusion in all of those debates and all the research have been that the basic unit of society, the family, mothers and fathers, the children with the biological mother and father is the safest place for children and for women. It is the most nurturing environment to ensure that healthy, well-adjusted children are raised in our society. This is a good thing.

When we go through this debate, how often have members who want to defend the traditional definition of marriage been characterized as being homophobic? I believe we have to remind people that one can be for something without being against something else.

There are many people here who have absolutely no problem with homosexual couples having relationships and considering other forms of it. However, to say that it has no impact, that it will not change anything, from my standpoint, the member for Mississauga South, the bill is an affront to me. It is an affront to my religious beliefs. It is an affront to the holy books of virtually every mainstream religion, of which I know, dealing with the institution of marriage. It is something that is so sacred to so many people across Canada.

With such a divisive issue, why, when we have so many people across the country who are upset about this, should we have a bill that will not be sensitive to those needs? We did not look for an opportunity to have some sort of compromise. The bill did not look at civil unions. Many people feel that is a reasonable compromise.

However, marriage is an institution which has a history. It has a tradition. It has a purpose. It is known. It is respected. What we are going to do now is take that tradition, that institution, and we are going to reduce it down to something as simple as a union of two people. How bizarre, how unfortunate and how sad for Canada.

This is not a good bill. It is a bad bill and it should be defeated.

•(1525)

I know most of the members in this place. I have a great deal of respect for this place and a great deal of respect for the members who have put themselves forward in public office to do the best job they can.

I do not know how all this will work out, but I want Canadians to know that all the people in this place who have fought so very hard to defend the traditional definition of marriage have done so in favour of the traditional definition of marriage and not against some other lifestyle choices. There is a high degree of respect and integrity in this place and I am very proud to be here.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I support the traditional definition of marriage as the union of one man and one woman to the exclusion of all others.

In 2003 the Liberal government's position in support of the traditional definition of marriage was clear and unambiguous. Department of Justice lawyers argued in the Ontario Court of Appeal that the definition of marriage predated our legal framework and had a meaning and life independent of any act of Parliament or court decision.

Government Orders

The government lawyers led expert evidence to show the existence of the universal definition of marriage across cultures and across religions, that marriage has always been and continues to be understood and defined as a particular kind of human relationship, a publicly committed, monogamous, heterosexual union. The Department of Justice stated:

The fundamental meaning or essence of marriage can only be derived in reference to its history, including its religious origins. It is not merely a legal status, or a creature of the common law, but a social practice and institution that has an independent and ordinary meaning, which is universally, understood—that is, the union of a man and woman.

Now the government would have us believe that Parliament ought to fundamentally alter the definition of marriage and that the Supreme Court of Canada compels it to do so. That is not the case. In fact on December 10, 2004, the Supreme Court refused to give an opinion on the constitutionality of the traditional definition of marriage and implied that it was Parliament's job to legislate with regard to marriage, not the court's.

Neither the absence of an opinion nor the observation that Parliament is the custodian of the definition of marriage can be construed as a Supreme Court mandated obligation to alter the definition of marriage.

Interestingly, when it has addressed the definition of marriage, the Supreme Court has rejected claims that the traditional definition of marriage defined as the union of one man and one woman was contrary to the Charter of Rights and Freedoms.

In 2003 the Supreme Court of Canada in the Egan decision stated:

Marriage has from time immemorial been firmly grounded in our legal tradition, one that is itself a reflection of long-standing philosophical and religious traditions. But its ultimate *raison d'être* transcends all of these and is firmly anchored in the biological and social realities that heterosexual couples have the unique ability to procreate, that most children are the product of these relationships, and that they are generally cared for and nurtured by those who live in that relationship. In this sense, marriage is by nature heterosexual.

Further, the court noted that the importance of marriage to the stability and well-being of family and society. Heterosexual marriage, it said is, "a social unit that is fundamental to society" and "is unique". It differs from all other couples including homosexual couples.

This was also the position of the Liberal Government of Canada in the Ontario courts. It said:

Marriage has never been defined merely as one context for producing or rearing children, both of which can occur—and often do—without marriage. Marriage has always been defined as an "ideal" context for producing and rearing children.

There is concern that if same sex marriage is legalized by Parliament, there will be significant intrusions by the state into the lives of ordinary Canadians of faith. The *National Post* in an editorial, entitled "Freedom of religion under threat", speculated about where such a change would take us as a society. The editorial referenced cases which gave some credence to its concern.

First, a same sex couple in B.C. is trying to force a Catholic men's organization, the Knights of Columbus, to provide space in its hall for their marriage ceremony. Second, in Saskatchewan, an evangelical Christian was charged for placing an ad in a Saskatoon newspaper that cited four scriptural passages denouncing same sex relations.

The *National Post* editorial concluded that "gay rights are now taken to trump every other freedom".

In its same sex legislation, the government has failed to ensure that substantive protections are available for people of faith and religious institutions. The bill before Parliament has a one sentence clause the government claims protects religious freedom. This clause which states that religious officials will not be forced to solemnize same sex marriages has already been ruled invalid by the Supreme Court of Canada. Parliament, the Supreme Court stated, lacks the constitutional authority to enact such a provision because the Constitution gives provinces exclusive responsibility for the solemnization of marriage.

The government claims that same sex marriage is a fundamental right. The highest courts in other countries and the United Nations Commission on Human Rights have rejected such claims.

● (1530)

For example, the New Zealand supreme court found that the opposite sex requirement of marriage was not discriminatory, noting that the definition of marriage as a union of a man and a woman was not based on an act of Parliament or a court decision, but was a recognition of the fundamental nature of marriage itself. The New Zealand court saw it as no more discriminatory than prohibitions against marrying someone who was underage, marrying a sister or a brother, or marrying someone who was already married, prohibitions contained in the New Zealand marriage act.

Following the New Zealand ruling, the UN Commission on Human Rights heard a complaint that the decision violated the international covenant for the protection of human rights, to which New Zealand, like Canada, is a signator. The commission rejected this complaint in 2002, in effect upholding that same sex marriage was not a basic universal human right.

The Liberal government's same sex legislation is seriously flawed and a threat to religious liberty. Neither the Supreme Court of Canada nor the UN Commission on Human Rights would compel the government to rewrite the traditional definition of marriage.

The government now raises questions about the validity or appropriateness of religious based contributions to the debate about same sex marriage. At least one minister of the government misrepresented the notion of separation of church and state to mean that there was no room for a religious based view in a discussion of what constitutes marriage. That was not the position of the government in 2001.

Expert evidence presented for the Government of Canada in the Ontario courts identified religious communities as stakeholders within the institution of marriage. In her testimony, the government's expert witness, Suzanne Scorsone, made clear the following:

1. Every political issue is necessarily addressed from the perspective of ideology, that is a general belief set. Among these, we find religious...belief sets. Every individual has an ideology, whether that ideology is consistently integrated or not, and whether it is "religious" or not.
2. Societies that function harmoniously reconcile, insofar as possible, the values and norms of their stakeholders and constituencies.
3. Religion is an important model of and for society in that it articulates and frames the conceptualization of its members as to what relationships and behaviour are and/or should be.

Government Orders

4. Religion and religious communities constitute an essential “voice” in Canadian society which is secular, diverse and eclectic. Organized religion has always played a particularly important role in the Canadian community. The state has always interacted with organized religion, in the context of special guarantees for religious freedom.

5. Given the historical roots of marriage, the strong “religious” attachment that Canadians have to marriage and the long history of responsibility undertaken by religious bodies with respect to the celebration of marriage, religious communities have an important historic and current stake in the institution of marriage.

Every one of us has a core set of beliefs, an ideology which guides our decision making. The beliefs of some may be religion based. For others it may not be. However, just because one's core set of beliefs is religious based does not disqualify him or her from participating in a discussion, especially a discussion as fundamental to our society as marriage.

The Government of Canada, through the expert testimony of Professor Shorter of the University of Toronto Faculty of Medicine, cautioned against a fundamental alteration in the definition of marriage. He said:

Marriage represents an institution of incalculable importance to society...That single enduring meaning that has been as a union of a man and a woman for the bearing and nurturing of children. If we begin inserting players into legal marriage whose own values may be at odds with this core mission, we may be undermining that sense of mission for all. We shall be undermining this task privately... And we shall be undermining this task publicly as well, diminishing a core institution that has offered the most stable environment for childbearing...Tampering with it in the name of well-meaning but untried experiments could have a negative outcome for our society.

While the government's expert witnesses were consistent in their observation that marriage between a man and a woman was a universal norm, they rightly urged respect for those who, for whatever reason, entered relationships inconsistent with that universal norm.

Professor Young, on behalf of the Attorney General of Canada, advised the court in Halpern, “All societies must deal with the inevitable anomalies and exceptions. The mark of a healthy society is to have not only strong norms but also humane ways of evoking tolerance for those who either do not or cannot adopt them”.

We in this party have proposed a legitimate and sensible alternative to changing the definition of marriage.

We should not forget that all individuals, because of their inherent human dignity, are entitled to our respect and, furthermore, all are entitled to express their point of view.

● (1535)

Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, it is a pleasure to have the opportunity to speak to one of the most controversial bills we will see in this 38th Parliament. It is also gratifying to see so many Canadians speaking out on the bill. Regardless of whether they are in favour or opposed to it, it is generating an outpouring from Canadians, and that is positive.

This is a bill that they feel so strongly about that my office is being inundated on a daily basis with hundreds of letters and faxes, and they are not just from my riding. They are from all over Canada. They are from young and old alike. If we could get this kind of response during an election, we would have a 90% turnout at the polls.

I must be clear from the beginning that my approach to any emotionally charged issue has always been the same. I take the emotion out of the argument, examine the facts and reach a sound conclusion based on logic. I remain open-minded to any and all arguments presented and am prepared to shift position if new information is revealed.

My husband and children lovingly refer to this method of thinking on emotionally charged issues as Spock mode, so named for the famous Vulcan character from *Star Trek*. I make no apologies. It has served me well in both domestic situations and in 20-plus years of public service.

Based on that preamble, let us examine the facts.

There is no federal law defining marriage in this country at this point. That is precisely what we are about to establish. Yes, it is true that government has developed other laws and protections pertaining to citizens who fall under the categories of traditional marriage, common law marriage and same sex relationships, but that has been in reaction to pre-established levels of commitment by couples outside the purview of federal rule and should not be confused with today's debate subject, the federal definition of marriage.

One might reasonably ask why the federal level of government has not established a definition of marriage after more than 100 years. To me the answer is fairly clear. The ceremony of marriage is not the creation or the intellectual property of any government. It is the creation and intellectual property of religious institutions.

Churches, synagogues, mosques and temples of the world established the meaning of marriage and the ceremony that formalizes it in response to a need to establish boundaries in accordance with the fundamental beliefs derived from the text adhered to by their religious followers. Logic dictates that marriage is therefore the intellectual property of religious institutions, not the intellectual property of government. Changing the definition of marriage without the express formal consent of those who created marriage, as in this case, is therefore logically unjust. This train of thought leads to some interesting observations.

While members of the Liberal and NDP Parties might passionately defend the intellectual property of a photographer, performer, writer or painter, they somehow have conveniently overlooked the intellectual property aspect of religious institutions when it comes to the subject of the marriage ceremony. This could be a simple oversight dictated by emotion, or perhaps it does not meet their personal criteria as intellectual property, or they just might find it convenient and acceptable to discriminate against religious property rights but not artistic property rights. The latter conclusion would be an interesting double standard debate that would merit stand alone debate on its own.

Although the water may be muddy on this last point, one thing is clear: it is the mandate of the Canadian government to protect the charter right of religious freedom in this country. The proposed legislation fails to do so.

Government Orders

The government has made an attempt to ignore the facts and to shift the ground on these debates. Many have stood in the House of Commons and argued that this is an issue of human rights. This debate is not about human rights. Those who resort to using this argument do so because it strikes an emotional response. It is the fallback stance for anyone who is unable to justify or support a position based on fact.

I offer some examples in support of my last statement for the House's consideration.

In the same sex reference case, the Supreme Court of Canada declined to rule on the constitutionality of the traditional definition of marriage despite a clear request from the government to answer this question. Why? Perhaps it was because in 1996 the New Zealand court of appeal rejected the recognition of same sex marriages despite the fact that New Zealand's bill of rights explicitly listed sexual orientation as a prohibited ground of discrimination.

• (1540)

When the New Zealand decision was challenged before the United Nations Human Rights Commission as a violation of the international covenant of civil and political rights, the UNHRC ruled in 2002 that there was no case for discrimination simply on the basis of refusing to marry homosexual couples.

In fact, to this date no international human rights body and no national supreme court have ever found that there is a human right aspect to same sex marriage.

I could cite more examples for the perusal of the House but time is limited and there are some things, personal points and clarifications, that I intend to have recorded on this issue.

Let me begin by saying that this is often an ugly world and those who find someone to love and commit to should count their blessings. Love requires no permission or endorsement by law, not in Canada or any other civilized nation.

The issue before us does not infringe on anyone's right or ability to love another human being. What it does threaten is one of Canada's basic fundamentals contained within the Charter of Rights and Freedoms that all Canadians whether born here or brought here hold dear: freedom of religion.

We have welcomed generations of Canadians from a myriad of ethnic and religious backgrounds to become citizens of this great country. They have played a major role in our success and development, whether they came to us in 1898 or in 2005. Part of our promise to them was to guarantee their right to practise their faith openly without government interference, to honour the jurisdiction of religious ceremony and to not impose the threat of reprisals for views that do not conform to the shifting whim of the ruling party in Canada.

In other words, we promised them democracy. Many came to Canada to escape the very oppression that this legislation threatens to impose. Many also came to enjoy the freedom of not having to belong to any practising religion.

The cabinet responsible for this legislation is aware that cross-jurisdiction with provincial governments makes it impossible to

guarantee freedom of religion under the current wording. It will simply shrug at some future date that the ramifications are not its fault, that somebody else is to blame, that it did not know, that it did not do it.

It seems to be a consistent theme with the Liberal government: promises made, promises broken.

The people of my riding have spoken clearly by mail-in ballot in which 82% told me to uphold the traditional definition of marriage and the sacred promise to protect the fundamental rights of all Canadians. I for one will not break the promise this country made to its citizens and I will not betray the trust of those who sent me here.

I supported the proposed amendment suggested by the Leader of the Conservative Party because it was a constructive compromise all Canadians could be proud of and because it was clearly the majority opinion of the constituents I swore to represent.

This will be an issue that will be very hard to resolve. I ask indulgence by all in the House for all points of view and I wish us all the very best of luck.

• (1545)

Mr. Gary Schellenberger (Perth—Wellington, CPC): Mr. Speaker, I rise today to speak to Bill C-38. I appreciate that so many of my constituents took the time to share their concerns with me. The issue of same sex marriage is an emotionally charged one with people on each side of the issue expressing their sincere, deeply held beliefs.

After carefully considering the views of the majority of my constituents who have contacted me on this issue, as well as my personal beliefs, I am in support of the traditional definition of marriage. I voted in favour of the motion that reaffirmed that definition in September 2003 and I will continue to take this position in the future.

I, like many on this side of the House, believe in the traditional common definition of marriage as the union of one man and one woman to the exclusion of all others. Not everyone shares this view. Because there will be a true free vote in my party on this issue, it makes me proud to be a Conservative. I very much respect my colleagues and, indeed, fellow Canadians who do not share my views on the issue and think respectful debate on the matter is genuinely good for democracy.

This House, including the current Prime Minister, voted to uphold the definition of marriage in 1999 and in the amendments to Bill C-23 in 2000. In fact, the Deputy Prime Minister, who was then justice minister, led the defence of marriage from the government side.

The following is what the Deputy Prime Minister said in 1999 in support of her defence of the traditional definition of marriage. She said:

We on this side agree that the institution of marriage is a central and important institution in the lives of many Canadians. It plays an important part in all societies worldwide, second only to the fundamental importance of family to all of us.

“—unions of persons of the same sex are not 'marriages', because of the definition of marriage”.

Let me state again for the record that the government has no intention of changing the definition of marriage or of legislating same sex marriages.

Government Orders

Marriage has fundamental value and importance to Canadians and we do not believe on this side of the House that importance and value is in any way threatened or undermined by others seeking to have their long term relationships recognized. I support the motion for maintaining the clear legal definition of marriage in Canada as the union of one man and one woman to the exclusion of all others.

This was the Deputy Prime Minister speaking less than six years ago. What she said was true then and it is true now.

The Supreme Court itself has still not addressed this issue despite a clear request to do so from the government. It is important to note that the Supreme Court of Canada ruling on December 9, 2004 did not declare the traditional definition of marriage as unconstitutional. The court made it clear that it believes the issue is for Parliament to deal with.

What is unconstitutional is any kind of discrimination against members of any minority group. We must work hard to ensure that a same sex couple entering into a loving, committed relationship via a civil or domestic union is afforded the same protections, benefits and status as married couples receive under the law.

All law-abiding Canadians must be able to conduct their lives and contribute to society without fear of discrimination. I believe that the proposed amendment suggested by the Leader of the Opposition would have provided the best ground to find a constructive compromise that the vast majority of Canadians would have felt comfortable with.

I want to congratulate the leader of the Conservative Party for advocating a very wise and reasonable position. The majority of Canadians are looking for a middle ground compromise that would recognize the valid concerns of the partisans on either side.

On the one hand, some Canadians seek to preserve the traditional definition of the term marriage, which predates the creation of the nation state. On the other hand, there is a belief that by broadening the definition of marriage to include same sex couples, Canadian society will take an important step in the direction of tolerance and respect of homosexuals. I believe we can achieve this kind of tolerant, respectful society without changing the definition of marriage.

• (1550)

I am entirely supportive of state recognition of same gender civil or domestic unions, bringing with them all the same protections and benefits as marriage, but for the same sex couples. A same gender couple in Canada wishing to enter into a loving lifelong committed relationship must be afforded the same protection and status as married couples under the law.

We can be tolerant and respectful to all parties in this matter without changing the definition of marriage. This is the kind of compromise that should be reached.

The rights of all minority groups must be strongly protected, and it would be wrong to marginalize homosexuals. Any type of discrimination directed against the homosexual community is completely unacceptable. I want to be clear about that.

For me, the issue is not an issue of human rights. It is about freedom of religion. Just as we must protect minority rights, we must

also protect religious freedom in Canada. Finding a fair balance can be difficult.

The Conservative compromise option may not satisfy everyone. It would not satisfy those who believe that equality rights for same gender couples are an absolute, which cannot be compromised by accepting anything less than full marriage, or that the heterosexual status of marriage is an absolute, which cannot be compromised by recognizing equal rights for other kinds of unions. But it would satisfy the vast majority of Canadians who are seeking common ground on the issue.

There is no need to go to extremes in this debate. Accepting a compromise that respects the will of the majority and upholds rights is exactly what the amendments proposed by the Conservative Party represent.

Conservatives would propose that other forms of union, whether heterosexual or homosexual, whether called common law status, civil unions or registered domestic partnerships, should be entitled to the same legal rights, privileges and benefits of traditional marriage.

Conservatives believe that same gender couples should have the right to be treated the same as married couples when it comes to matters like pensions, tax obligations or immigration matters. Any federal law that would treat same gender couples any differently from married couples is completely unacceptable.

This is not a reactionary solution that would infringe on any Canadian's human rights as the government alleges. The Conservative position represents a moderate compromise position that would keep Canada in the company of some of the most tolerant and progressive countries in the western world, a Canada we can be proud of.

The overwhelming majority of my constituents believe that marriage is a basically heterosexual institution, but that same gender couples also have rights to equality within society that should be recognized and protected.

Michael Whitehouse wrote me from Stratford, "I am not opposed to people choosing their own way of life, nor am I opposed to seeing civil unions being given benefits. I am opposed to changing the definition of marriage as the union between one man and one woman".

Marguerite and Oscar Schill of Alma said, "We believe that the definition of union would be an appropriate title for same sex couples to own and would give them honour and dignity and their own definition of being united in love. This would not interfere with those of us who own the definition of marriage".

Government Orders

Mrs. Inez Haid of Listowel passed this along, "I have no bias when it comes to homosexuals. I respect them. Since they have had the courage to declare their lifestyle, why is there not a vocabulary and a ceremony which would apply to their situation? Give them the same rights and obligations as the traditional married couples but don't call it 'marriage' or a 'wedding ceremony'".

Winnifred and Norman Dow from Mitchell added, "We are not against some kind of union for such couples but feel the traditional definition as the sacred union of a man and a woman must be respected and maintained".

One of the problems throughout this debate has been the media's habit of interchanging the terms "same sex marriage" and "same sex union". The media often starts out using the term "marriage" and then switches back to "union". Let us be clear here. I am in favour of defending the traditional definition of marriage, and in favour of supporting same gender unions. People should at all times be honest and transparent. Trying to confuse voters is not the answer.

If the government honestly put forward legislation that would preserve marriage while recognizing equal rights of same gender couples through civil unions or other means, then this is the option that most Canadians would choose. This compromise is consistent with Canadian traditions, and it is the option that only the Conservative Party is prepared to offer.

•(1555)

I thank all of those who wrote and e-mailed me on this issue.

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I am honoured to speak again on behalf of my constituents of Langley on the government's plan to change the historic definition of marriage. Thousands of Langley residents responded to my request for input and 96% said they want me to vote to uphold the traditional definition of marriage being between one man and one woman to the exclusion of all others. That is exactly what I will do.

The Prime Minister's plan to change the definition of marriage is an attack on Canadian society and on religious freedoms. His comments on marriage have been dishonest and need to be challenged.

The people of Langley have plenty to say about marriage. I have received thousands of letters, e-mails and cards. Here is a sample:

I want to thank you for your vote in favour of the amendment to Bill C-38. Your support for marriage between a man and a woman is very crucial at this point in Canadian history and I encourage you to remain steadfast in your efforts. As Bill C-38 works its way through the parliamentary process, I ask you to work to persuade your parliamentary colleagues who may still be undecided about traditional marriage. As you know, every vote will count when this bill gets to third reading. Thank you again for standing on behalf of marriage. In the next election, I will be certain to support a candidate who shares my convictions about marriage as the union of one man and one woman to the exclusion of all others.

Parliament voted on the definition of marriage three times in the past six years. In 1999 the Prime Minister and many of the current cabinet members supported a motion that defined marriage as a union of one man and one woman to the exclusion of all others. It passed 216 to 55.

Two years ago the Prime Minister promised Canadian religious leaders that he would never permit the definition of marriage to be changed. Then in 2003 the Prime Minister and many of those same

cabinet ministers voted against the traditional definition, causing it to be defeated 137 to 132.

During the last election many of his cabinet ministers were again promising Canadians that they would defend traditional marriage. Promises made, promises broken.

On April 12 the House voted on the Conservative motion to "protect the traditional definition of marriage, to provide the same rights and benefits to same sex unions, and to protect the religious rights of all Canadians". That motion represented the democratic wishes of the majority of Canadians. Tragically, the Prime Minister ignored those rights of the majority and whipped the vote of his cabinet. The democratic rights of Canadians were defeated in a vote of 164 to 132. That was a sad day for democracy.

The Prime Minister and his Liberal government have been dishonest and have been misleading Canadians in three major ways. They have been saying that redefining marriage is a human rights issue. That is wrong. They have said that redefining marriage is required in the charter. That is wrong. They have said that the civil marriage act will protect religious freedoms. That is wrong.

Let us start with human rights. Same sex marriage is not a fundamental human right. The United Nations Commission on Human Rights upheld a New Zealand court decision that same sex marriage is not a basic universal human right. No national or international court or human rights tribunal has ever ruled that same sex marriage is a human right.

The Prime Minister knows that the decisions of the United Nations and international courts do not support what he has been saying. Why is the Prime Minister being dishonest and whipping his cabinet? Because without manipulated support the bill would fail.

The second way that the government is misleading Canadians is with regard to equality rights. The Liberal government said only equal access to civil marriage would fully comply with the charter. It has said that any institution other than marriage is less than equal. That is utter nonsense. Same sex unions have equal rights.

The Liberals have also misled Canadians by saying that the Conservative Party is against equality rights. To the contrary, and let me be absolutely clear, the Conservative Party supports equal rights and benefits for same sex couples. We are the only party that believes in the charter rights of all Canadians, not just a select few. Gay and lesbian couples have equal rights to central social institutions, such as legal unions, and have equal rights.

Government Orders

•(1600)

The justice committee began studying same sex marriage in November 2002. Many members and witnesses at the committee thought that the civil union option for same sex couples should have been explored further. We need to openly debate the potential for creating a civil union which could provide equal rights and benefits in accordance with the will of the majority of Canadians.

Equal rights do not equate to same rights. Canada has many examples and instances where Canadians have fought for equal rights, but not the same rights. For example, the child tax benefit cheques normally go to the mother, not the father. Quebec says it is equal, but not the same, therefore suggesting its distinct society clause. Men and women are equal, but not the same.

The Supreme Court has not ruled that marriage must be redefined. The Supreme Court has not ruled that the definition of marriage must be changed to allow civil unions. The Supreme Court has said that Parliament has the authority to redefine marriage if it so wishes.

The majority of Canadians do not want the definition of marriage changed. The power hungry, undemocratic Liberal government is bent on changing marriage, ignoring the rights of the majority of Canadians. The government could not care less about the consequences of its agenda. It is misleading Canadians and forging ahead with its social experiment, changing the Canada that we all know and love.

The Liberals want to change the historical religious definition of marriage which predates our government. They also plan to legalize marijuana, legalize prostitution and take away the charitable status of faith based organizations. This is not the Canada that Canadians want. The Prime Minister's values are not Canadian values.

The third way that Canadians are being misled is the protection of religious rights. Bill C-38 does not protect religious rights. The third clause is merely a recognition and has no teeth whatsoever. Saying that the civil marriage act will protect religious freedoms is dishonest and misleading. The solemnization of marriage is in the provincial jurisdiction. This is very clear and the Liberals had their hands slapped by the Supreme Court.

If the Prime Minister really wanted to protect religious freedoms, he would have drafted amendments to the Income Tax Act on charitable status. Before tabling Bill C-38 he had the time to make those changes, but he chose not to.

Bill C-38 is not about human rights, but about the Liberals attacking religious rights. Jews, Christians, Sikhs, Muslims, Hindus and other faith based organizations are all vulnerable to activist attacks in the courts and human rights tribunals.

Canada's judicial courts and human rights tribunals have a near perfect record of finding against religious rights. We have seen this in Oshawa, where a Catholic school was charged with discrimination for not allowing Marc Hall's boyfriend into the graduation dance. In greater Vancouver, the Knights of Columbus were charged for cancelling a booking for a same sex wedding reception. More than 50 marriage commissioners have resigned or been fired because of their religious freedoms and rights.

This is just the start. One of Pope John Paul II's appointed bishops, Bishop Fred Henry, formerly of Windsor, who celebrated the mass at the funeral of the hon. Paul Martin Sr., and is now the Bishop of Calgary, is being brought before the Human Rights Commission for his defence of marriage. Who is next? Teachers in faith based schools will have to resign or be forced to lecture against their religious beliefs.

Members of the Liberal government are describing religious institutions as being discriminatory and have argued already that their charitable tax status should be revoked. This would cause the closure of churches, synagogues, mosques and any faith based organization that disagrees with the Liberal government.

The attacks have just started. Marriage is a historic religious union that predates government. From time immemorial it has been a union of one man and one woman. It is more than just two people uniting. It is God being part of it in joining the union according to His will.

The government should not change the traditional definition of marriage. I will be voting against the government's Bill C-38.

•(1605)

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I too will be voting against Bill C-38. The Prime Minister has one thing right. At stake is the kind of nation we are today and the nation we want to be.

There is no other issue that has come across my desk in the time I have been a member of Parliament that has generated as great a degree of correspondence by telephone, fax, email, and letter writing as the issue of marriage. It seems that, regardless of a person's position or their religion or their faith, they have come together in my constituency of Souris—Moose Mountain as one, asking me to oppose this particular bill. We find people opposed to it across Canada.

The legislation invites Canadians to go down a road they do not wish to go and to accept as a nation a fundamental change to the traditional definition of marriage, a change the majority of Canadians do not wish to accept. This does not bode well for our country. I have received numerous letters and I will read from a few of them to recapitulate the feeling of my constituents. One from my home city of Estevan states:

Marriage between one man and one woman is a natural institution as it predates all recorded, formally structured, social, legal, political and religious systems. In so far as it is a social institution, marriage is concerned with the common good, not individual rights.

The government tried to define this thing as a rights issue. It is not a rights issue; it is a public policy issue. It is an issue of a definition and that issue should be settled, and has been settled in history by common law. It is time now for Parliament to restate its position by way of legislation that is appropriate. The letter further states:

The State must strengthen and protect marriage between a man and a woman because it assures the survival of society by creating the next generation.

I ask the Government of Canada to implement legislation that will recognize, protect and reaffirm the definition of marriage as a voluntary union of one man and one woman to the exclusion of all others. I also ask that should the Government of Canada want to address the concerns of other adult interdependent relationships, it do so in a way that respects human dignity, but does not redefine and thus void the vital, irreplaceable, natural, and social institution of marriage.

Government Orders

I stand against our Government's efforts to destroy the definition of traditional marriage.

That has been espoused by many people. Another letter from Whitewood, in the north part of my constituency, reads:

I would like to express my views that marriage should be protected and remain as "the union of one man and one woman to the exclusion of all others".

Marriage is of critical importance to our society. It is perhaps the most important societal institution we have because it provides for the upbringing of children and is a foundation for strong, healthy families. Marriage ensures children have the best chance to have both a mom and a dad in their lives. Marriage also ensures the continuation of society and provides family stability for future generations. Marriage between a man and a woman is a unique relationship that simply cannot be replicated by any other relationship.

This issue is too big and too important for the justice minister, the Prime Minister and his enforcers to decide. They have not even given members of the government the free opportunity to vote on this issue but have actually asked them to support the bill, whether their personal convictions or constituents would like to see it otherwise, in a very close vote in the House.

Ultimately, it will be decided by the people of this country, and perhaps sooner than later, if we have an election. The people will speak loud and clear when the time comes for them to decide who will be representing their interests in this House.

As I said before, the Liberal government and the Liberal Party of Canada would like to describe this as a rights or equality or dignity issue. It is not. If anyone is confused on this, it is the Prime Minister. Focus on the Family has stated that the fundamental question is whether marriage has a continuing role in our modern society and, if so, should this be reflected in our laws?

It really is a public policy issue that belongs to all Canadians. The debate and the nature of marriage belongs to the realm of public policy and not basic human rights.

● (1610)

Many countries and organizations have held this view and it is not something that is unique to Canada. In fact, on June 8, 1999 it was the opinion of the House that it was necessary, in light of public debate around the court decisions, to state that marriage was and should remain the union of one man and one woman to the exclusion of all others, and that Parliament should take all steps necessary within the jurisdiction of the Parliament of Canada to preserve the definition of marriage.

What has changed since that time? There have been a number of court decisions, but they have been made in a vacuum. They have been made based on common law and not statute law. They have been made because the House has not defined marriage, when the Constitution states that the House has the ability to define the capacity to marry. The Prime Minister has chosen not to address that issue in advance of court decisions and has decided not to appeal court decisions when they were made based on the common law definition of marriage. He now tries to use that as a justification for inaction in the preservation of the traditional definition of marriage.

Where was the Prime Minister when those courts were struggling to make a decision on their own based on common law and without any guidance from the House or from a legislated body?

It is not an issue of whether gays and lesbians can vote or serve in the military. It is not an issue of whether they are discriminated against or not because discrimination has no place in our society, in our party or in the House. However, to compare that to the issue of whether the traditional definition of marriage should be maintained is something all together different.

The core issue here is the redefinition of a known term, so as to include someone who would by the very nature of the fundamental meaning of the term not be included. By reformulating, redefining or diluting the definition of marriage, it has made it to mean something other than what it is and was. Marriage is essentially the union of two people, a man and a woman, who consummate the relationship by sexual relations with the potential to procreate. Anyone fitting that description is entitled to marry. Anyone who does not, is not. We cannot simply change the definition to suit the whims or needs of anyone, whether it is catering to current political thought or what the current fad is.

Marriage is what it is always said to be and there are legal precedents for that. Justice La Forest in *Egan v. Canada*, a 1995 Supreme Court of Canada case, stated in reference to the traditional definition of marriage:

But its ultimate *raison d'être* transcends all of these and is firmly anchored in the biological and social realities that heterosexual couples have the unique ability to procreate, that most children are the product of these relationships, and that they are generally cared for and nurtured by those who live in that relationship. In this sense, marriage is by nature heterosexual.

Another letter from a legal counsel in my constituency stated:

I urge you to oppose the redefinition of marriage to include same sex couples. Marriage has been and should remain, by its very nature, a procreative relationship. That is not to say that all marriages procreate, but that its primary purpose is procreation. Same sex couples may have their relationship legally recognized in some other manner without redefining marriage.

Again, if we start redefining terms, we can make it anything we want it to be. The basis of the traditional definition of marriage was the *Hyde v. Hyde* case and a quote from that case that is not often quoted states:

—marriage has been well said to be something more than a contract, either religious or civil to be an institution.

The Prime Minister has attempted to define civil marriage as something else, but when we change the meaning of civil marriage, we affect all of marriage. I think we must and should take a stand against it.

● (1615)

The leader of my party said in the House:

There are fundamental questions here. Will this society be one which respects the longstanding basic social institution of marriage or will it be one that believes even our most basic structures can be reinvented overnight for the sake of political correctness?...there are some things more fundamental than the state and its latest fad.

That is the definition of marriage. He went on to say:

—marriage and family are not the creature of the state, but pre-exist the state.

Government Orders

We must as a state uphold and defend the traditional definition of marriage. It truly is a significant time in the history of our country and indeed it is a time where at stake is the kind of nation we are today and the kind of nation we want to be.

As the Prime Minister has stated, “the gaze of history is upon us”. Whose vision of the future of our nation is the correct one? There is no doubt about that, the people of Canada will see to it. The Prime Minister has it wrong. The people of Canada will set the record straight at the ballot box.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Mr. Speaker, there is so much that could be said on this subject, a lot of studies that could be quoted, a lot of profound statements from philosophers and theologians, and other realms as well.

I will quickly recap the last time I spoke with respect to an amendment on Bill C-38, the same sex marriage bill. I talked about how we need to support traditional heterosexual marriage, first of all, for the sake of the children. They are the most vulnerable members of society. If there are competing rights, I remember Margaret Summerville, the ethicist, saying that one ought always to defer to the weaker and more vulnerable. Instead of talking about adult dependent relationships, as tends to be the case in respect of those advocating for same sex marriages, we tend to forget about the children, the more vulnerable members of society, and the progeny or the offspring that come out of a biological heterosexual union.

I made referred to the United Nations convention on the rights of the child. Article 7 says that it is the right of children to know and be cared for by their parents, obviously a reference to the biological progenitors of the children who have come into this world.

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the children shall be a primary consideration. That is in article 3 of the United Nations convention on the rights of the child. Somehow that gets overlooked and too easily swept to the side when in fact it is the children that this debate should be about in a major and significant way. It should be in their interests that we defer.

I was not only for the sake of the children but also for the sake of free speech. I was beginning to make the point of the imposition there would be in schools and places of learning and so on, if there were to be the legalization of same sex marriage.

With the legalization of homosexual marriage, it is my deep concern that every public school in the nation will be required to teach homosexual coupling as the moral equivalent of traditional marriage between a man and a woman. We have already seen examples of such pressures that schools face in your end of the country, Mr. Speaker, in Surrey, B.C., where a school board in fact had to fight through the courts to retain its own curriculum in respect of this particular issue.

I am concerned, as buttressed by this very case in point in Surrey, that even in conservative regions in the country textbooks will have to depict man-man and woman-woman relationships and stories written for children as young as elementary school or even kindergarten, and may have to give equal space and emphasis to homosexual unions. How can a child fresh out of toddlerhood

comprehend the meaning of adult sexuality? The answer is that they cannot, nor should they have to, and nor should we be forcing that on them at that very young and tender age.

Among those changes will be “diverse” textbooks that will include same sex couples as role models, even for little children. To refuse such content will be considered “discrimination” and those dissenting school boards will be taken to court.

Furthermore, the provincial teachers' federations will sue on behalf of any teachers involved. Increasingly, activist liberal courts will model themselves after the Supreme Court judges, and those judges at the lower court levels are pretty likely to rule in favour of such plaintiffs.

It is not only for the sake of children and free speech but also for the sake of freedom of religion and freedom of conscience. Does anyone honestly expect Canadians to believe that the Liberal government will protect their rights in respect of freedom of religion and freedom of conscience when only a few years ago the Deputy Prime Minister as well as the Prime Minister assured Canadians that they had no intention of changing the definition of marriage, and in fact promised to take all necessary steps to protect marriage?

● (1620)

The Liberals have already blatantly broken the promise that they made some time ago, also they reiterated a couple of times here. They have broken those promises of protecting freedom of conscience. We have seen what has happened to marriage commissioners across the country. In my province of Saskatchewan, in Manitoba and in various other provinces those individuals have been sidelined. They have been imposed upon. There is an attempt to violate their conscience.

I ask members gathered here today why should Canadians believe that the Liberals will protect those freedoms of religion and conscience when they have broken promises in respect to that already?

Dr. Janet Epp Buckingham says:

We have been given bland assertions by the Justice Minister that religious freedom will be protected with the redefinition of marriage but there is absolutely no evidence of this...Already we have seen marriage commissioners forced to resign in British Columbia, Saskatchewan and Manitoba over this issue. Mayors have been forced to resign in Newfoundland. A human rights complaint has been heard against the Knights of Columbus for refusing to rent their hall for a lesbian wedding reception...This is just the beginning of the types of religious freedom violations we anticipate from the redefinition of the institution of marriage.

She goes on to say:

With more than 75 percent of marriages in Canada solemnized by clergy, it is clearly a deeply religious institution. It is naïve and impossible to say that you can change civil marriage without it having an impact on religious marriage and religious institutions.

Government Orders

She says, “The Prime Minister has said that this is an issue of fundamental rights. He has said that in redefining marriage, he is defending the Charter”. However, no international body has actually said that it is a matter of human rights. We look at the various conventions that we have internationally but none on planet earth have said that is an issue of human rights that must be foisted on the Canadian public. “If that is the case, there is no room for those of us who have a different vision of family life in Canada. We are already being pushed to the margins of Canadian life”, she says, and “we are already being made to feel unwelcome”.

She continues:

This is not tolerance and it is not upholding the Charter.

The assurances the Justice Minister is making are empty promises. The Supreme Court of Canada said that any protection for religious freedom in this legislation will be struck down by the courts because the federal government does not have the legislative power to make such a law.

Under the Constitution Act, 1867, only the provincial governments can legislate to protect religious freedom relating to the solemnization of marriage. But we have not seen any action by provincial governments to protect religious freedom.

Religious freedom is a political football that is being tossed back and forth between the federal and provincial governments.

Churches and religious institutions are being set up for endless court cases. It will be death by a thousand cuts.

We call on the Justice Minister to tell Canadians how he will ensure that religious freedom is protected before he proceeds to force the redefinition of marriage on all Canadians.

Not only for the sake of the children, not only for the sake of freedom of religion and conscience in our country and our society, but also for the sake of free speech and for the sake of integrity and honesty in public figures.

We have the Deputy Prime Minister the member of Parliament for Edmonton Centre, making statements that are now a total about face with plain statements she made before. If we allow public figures to get away with that, then we have sunk to new lows in what we allow public figures.

The Deputy Prime Minister once said, “the definition of marriage is already clear in law as the union of two persons of the opposite sex. It “is a unique institution. It is one man and one woman to the exclusion of all others”. She said, “Let me state again for the record that the government has no intention of changing the definition of marriage or of legislating same sex marriages”. She said, “This definition of marriage, which has been consistently applied in Canada and which was reaffirmed last year to a resolution...it has served us well and will not change.

Those blatant untruths and contradictions are another reason why we need to turn this back. For the sake of integrity and honesty in public figures, if politicians can get away with such blatant untruths and contradictions, we have sunk to new lows in what we allow public figures. For these very good reasons, I would appeal to colleagues across the way and to the public why do we need to support traditional marriage.

• (1625)

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Selkirk—Interlake, Natural Resources; the hon. member for Renfrew—

Nipissing—Pembroke, National Revenue; the hon. member for Lotbinière—Chutes-de-la-Chaudière, Official Languages.

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I last spoke on the bill on April 11, my parent's 70th anniversary. Unfortunately, Dad did not make it because he passed away two years earlier, but it is still a day that we remember in our family.

When I last spoke on the bill, I addressed the issue of the value of marriage, the serious breach of the democratic process used by the Liberals in advancing the homosexual agenda, the issue of equality and the issues of religious freedom. Today I would like to focus my attention on the implications for children. I also want to talk briefly about the framework of the debate.

When I gave my speech on April 11, I mentioned how important it was to me to have been raised in a loving, caring family. I know that the proponents of so-called same sex marriage claim they too are capable of loving children, and I will not argue that. However, I will argue that there is a large difference between simply having two adults love a child and being raised by a loving Mom and Dad.

Like most people, I have had many people in my life who have loved me. Besides my parents, I had a brother and a handicapped sister who loved me, numerous aunts and uncles, grandparents, teachers, youth leaders in the church and in the community and even strangers. The definition of love that I like the most is this one: love is doing what is best for the other person without regard for any self-benefit. Notice that it is unselfish and it is unconditional. It is not based on feeling and it is not based on what pleases or benefits the giver.

In the context of this debate, I contend that the very best we can do for our children is for them to have the loving care and unconditional commitment of their natural parents. This is not just an opinion either. There is a great deal of evidence to show that, on average, children do best academically, health-wise, psychologically and socially when they are being raised by their biological parents. I do not have the time to give the bibliography here, but many documented studies have been done to show this, and the results are persuasive.

I must hasten to add that it is not always possible for this to happen. Unfortunately, sometimes one of the parents is taken away by death. Sometimes the children are caught in the crossfire of a divorce. At other times, and I know of some of these cases, the children are abandoned by their mothers. All these situations are sad and can do immeasurable harm to the well-being of the children. When it happens, it is true that all involved try to make the best of it. Other family members rally around them and the wider community is supportive, but let us never kid ourselves into thinking that this is the best for the children. The best is for them to be raised in the loving environment of their own father and mother.

Government Orders

I have encountered a number of people who were adopted shortly after birth. During my time as a member of Parliament, I have had several ask me for advice on how to find their birth parents. I remember one in particular who had a total obsession with finding out who his biological parents were. He had been raised in a wonderful, adoptive family and had received an excellent upbringing. I will never forget the absolute excitement he expressed when he finally got to meet his birth mother and found out the circumstances that had led to her giving him up for adoption.

I think it is universal. The tie to one's biological roots is huge. I do not think it is a stretch to say that it is a human right to know who one's parents are. Yet when we think of same sex couples having children by the use of so-called anonymous sperm donor and/or egg donors, we are saying to the children that they will never be able to find out their biological roots. Whose rights are being violated when we do this?

Let me now address the question of the framework of the debate on this issue. Frankly, I have been appalled at the low level of our debates in the House and, in general, in the political arena in which we operate. I am speaking not only about this debate, but also on other issues.

I learned many years ago that in framing an argument, one should stay on the issue and never attack the person on the other side. Yet in this debating club here, we often find debaters, like the Prime Minister, yelling at and attacking the other side personally. These ad hominem arguments do not help the debate. I am sick of being called names and of having innuendoes about my character being put forward as fact.

• (1630)

I remember one of the public forums we had during the election campaign in which false accusations were made against me and against the leader of my party. The attacker was extreme in the statements made, attributing attitudes and names which are simply not true. I also remember the response I gave. I replied, "Anyone who knows me knows that what my opponent has just said is not true. Why would a person consider voting for someone who has so little regard for the truth?" I got a standing ovation from the crowd assembled and, frankly, my opponent hung his head in shame.

I have a deep love for all humans. I learned that from my parents. My wife and I have tried to teach that attitude to our children. Why else would our son have spent six or seven years of his life in service in Thailand, Africa and the former Yugoslavia, bringing help to downtrodden and unfortunate people, as he worked for World Vision, Samaritan's Purse and Compassion Canada? Why would he and his new wife have spent a year running an orphanage for some 400 beautiful black children in Rwanda whose parents were killed or missing?

Indeed, if I did not truly love him, why would I offer a ride in my rental car to one of our colleagues in this House who has declared his homosexuality on a day when it was raining and he had neither umbrella nor coat? If I had any inkling of contempt for him, why would I have invited the former member from British Columbia, who was a self-declared homosexual, to join me at my table at McDonald's on one occasion a number of years ago?

The charge of prejudice and bigotry is false. I reject the charge. Notwithstanding the charge, I will continue to love, to the best of my ability and strength, the people making these false accusations.

This debate has been framed as a human rights issue. It is most assuredly not a matter of rights. People arguing for same sex marriage state unfairly that if we do not support that notion, it proves that we are against human rights. How absurd. Why can we not recognize, as the Deputy Prime Minister did in her 1999 speech, that we can be against changing the definition of marriage, and still promote and support equality and rights of individuals.

We are suggesting that same sex and other couples should have equal access to government programs and benefits. Surely we cannot argue that using the word "marriage" in describing their relationship is a human right. Human rights have to do with right to life and liberty, freedom of beliefs and speech, and we demean those fundamental human rights when we try to include other, albeit worthy, facets of human existence in the definition of rights.

I plead with all members of the House to reject this bill. Canadians are counting on us to do the right thing. The right thing is to address the issues of equality at the same time as we preserve the definition of marriage which has served mankind for millennia.

Let us keep marriage as the union of one man and one woman to the exclusion of all others. Let us aim for the very best for our children. Let us keep the debate rational and respectful. Let us respect the democratic rights of Canadians to be heard when these kind of decisions are made. Let us respond positively to the thousands of petitions, letters, faxes, emails, phone calls and visits that we have had from our citizens. Let us respond positively to all those who have organized literally hundreds of public forums and gatherings across this country in promoting the keeping of the definition of marriage.

These people care very deeply about this. We need to respect them. As I said in my previous speech, politics is the art of reconciling irreconcilable differences or at least competing differences. The government has done an exceptionally poor job. It is ready now to totally trod on the rights and the wishes of by far the large majority. It has shown an inability to look after the human rights aspects of that, as was suggested by the Deputy Prime Minister now some six years ago.

I urge all members to vote against this bill. Let us do everything that is right and good.

• (1635)

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, I am pleased to speak to the second reading debate on Bill C-38, the same sex marriage bill. To say that this legislation has caused a controversy or generated public interest would be an understatement.

I want to be very clear at the beginning of my remarks and say that I will not be supporting the bill. I support the definition of marriage that has worked in our society for centuries, that being that marriage is the union of a man and a woman to the exclusion of all others.

Government Orders

I said that the legislation has created a great deal of controversy, which actually surprises me somewhat. If I had been asked 15 years ago when I was in Parliament that this would be the number one social issue facing us at this time, I would have been quite surprised. I would have said to those individuals who would want to change institutions within our society that marriage was definitely off their radar screen.

I remember, when I was the parliamentary secretary to the justice minister, some groups contacted us wanting to know why the federal government was still keeping divorce records. Inasmuch as divorce is a federal matter, the Government of Canada did keep statistics on divorces. The groups felt the government was wasting time and effort.

The implication was very clear. In their own mind marriage was basically irrelevant. Whether one was married, unmarried, living together, or whatever, it was irrelevant, so they wanted to know why we were keeping divorce statistics. I did not share that particular view of marriage and I certainly do not share it today. I thought it was perfectly within the government's right to keep that information. That is why I am somewhat surprised that this is the number one issue for those individuals who want to change institutions within our society.

I support the institution of marriage as it has been comprised for centuries in our society. It is one of the basic institutions of our society and is the foundation upon which we have built our culture.

I noted with interest when a government minister asked why the churches were getting involved in this issue. I was fascinated by that remark. It is a fact that well over 90% of the marriages conducted in this country are conducted under the auspices of churches and other religious institutions. That alone would make one think that they might have a passing interest in something that they almost exclusively handle in Canadian society.

Marriage is not something in which the churches and other religious institutions just became involved over the last couple of months or years. For centuries the Churches have taken an interest in this, have refined this and have made rules and customs on this. I am not overstating the fact that churches have had an interest in marriage for thousands of years. It seems to me that alone would mean they have a vital interest in marriage since we are trying to alter the definition that has worked for them.

When I talk about this subject I want to make it very clear that I am not in the business of trying to deny rights to other individuals. I have no problem with legislation that is designed to ensure people are treated fairly in society and treated with respect.

●(1640)

Members can check the record back in the late eighties when the legislation was introduced to protect individuals from discrimination on the basis of their sexual orientation. I remember speaking in this Parliament, one of the first speeches I am sure I made, and made the point that within the federal jurisdiction it would be a terrible thing if somebody was, among other things, fired from a job because of his or her sexual orientation. I could never support anything like that and I welcomed this Parliament moving ahead on that.

At the same time, though, I have to say with respect to this issue, that does not mean that we have to start altering the institution of marriage which has worked well and has been a part of our society for so many years. It is not necessary, in my opinion, to change that.

This position was overwhelmingly endorsed by the House of Commons in 1999. It was not just the members of the Conservative Party or the Alliance Party or the Progressive Conservative Party. They were not the ones who were standing up. It was members of the Liberal Party. Hon. members can check it out. In 1999, members of the Liberal Party said that they would defend the traditional definition of marriage, that they would not be introducing legislation that would threaten that and that they endorsed that. There was no suggestion among the members of the Liberal Party that somehow people's fundamental rights were being violated or taken away from them because indeed they were not.

This is just something that the Liberals have come up with in recent years, and it is very disappointing that it is the case. It was something that was supported in the last Parliament and something that people would expect when they went to the polls. If people were to ask if their member supported the traditional definition of marriage, they would see from the record in 1999 that their member did. They were all in favour of it. I am sure this has come as a rude awakening to some voters across this country that this was not something that they particularly believed in or something on which they could not have changed their minds.

I also am disappointed by the position of the federal cabinet. I cannot believe there is unanimity among the approximately 40 cabinet ministers. I know of no other group of 30 members of Parliament in which there is unanimity on this particular subject.

Even the members of the New Democratic Party who are, of course, no defenders of traditional values in this country, but even within that group one member dissented on this.

The members of the federal cabinet do not have the privilege of being a part of a political party that gives them the freedom to do as they believe they should do on a subject like this, which is one of the reasons I am so proud to be a member of this political party, the Conservative Party of Canada, where on an issue like this we are truly given a free vote, which is fair on moral issues and issues that touch people deeply like the marriage issue.

I have been asked on a number of occasions whether we have, as a federal Parliament or the House of Commons, the right to legislate in this area. I say, yes, of course we have. It is very clear that while the solemnization of marriage is within the jurisdiction of the provinces, divorce and marriage are clearly within the federal sphere.

We have not legislated on the marriage issue in the federal sphere because we did not think it was necessary, quite frankly. We have used the common law definition, which has been around for centuries, on the subject of divorce. We have altered the rules and laws with respect to divorce several times over the years but we have gone with the traditional definition. Now that has been challenged in the courts and therefore it is perfectly within our rights to come up with a federally legislated definition of marriage. I believe it will withstand court challenges because the Constitution gives us this right to do that.

Government Orders

The first step in this debate is to defeat the bill. I want people to know they can count on a Conservative government. We will introduce legislation, as we have the right to do, that will protect the traditional definition of marriage.

This has created quite a bit of interest and quite a bit of controversy. Mr. Speaker, you have seen me stand in the House on a number of occasions presenting petitions from the people of Niagara Falls, Niagara-on-the-Lake, Fort Erie, the greater Fort Erie area, including Ridgeway and Stevensville. Hundreds of people took the time to forward these petitions and I have been proud and pleased to present them on their behalf. They want to see that traditional definition of marriage preserved and I am prepared to tell them that when the Conservative Party becomes the government of this country, and that day will be much closer, we will do what the Liberals said they would do in 1999.

• (1645)

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, we look forward to two things: forming government and defending the definition of marriage in the country.

I have the distinct privilege to stand and speak on behalf of my riding. The bill is definitely not a priority for Canadians. We saw that on the Hill just a few weeks ago when 15,000 to 20,000 individuals came to say to Canada and to Parliament that we should be careful in what we do, that changing the definition of marriage is an experiment that has not gone well wherever it has been introduced, only in two other countries in the world, and we should tread very carefully when it comes to this.

People are angry and upset at the bill, and rightfully so. They do not buy what the Prime Minister is claiming with regard to the bill being all about human rights. We all believe that human rights should be protected but this is not about human rights. This is about changing a definition of an institution that has been cherished for many generations in this country. In fact, it predates the state itself.

This could have major consequences, not only for the institution of marriage but for children, for religious freedoms and for society itself.

I will not be supporting the legislation and I will do everything in my power to stop it. I will do that on behalf of the people of Yellowhead and I will do it as aggressively as I possibly can. I believe that most members of our caucus are feeling the same way about this issue.

What is marriage? Marriage is an inclusive union between one man and one woman and it has been recognized as that for thousands of years. It is an institution that predates the modern states and is recognized in most of the world's cultures and religions. Marriage serves as a bond between a man and a woman and between the generations. It provides the ideal environment for raising children. Marriage is the pillar of our society and, like I say, we trample on it at our peril.

Contrary to the Liberal claim, same sex marriage is not a fundamental right. The Supreme Court of Canada did not recognize it as such and gave it back to this Parliament to decide and to deal with. In fact, no nation or international court has recognized same sex marriage as a basic human right. Marriage as a union of a man

and a woman has stood the test of time and place and many Canadians are willing to extend benefits and, I should say, are willing to extend benefits to other kinds of domestic partnerships. Most people in the House recognize that as well but they recognize marriage as something distinct. It is a unique bond or covenant between a man and a woman.

The other aspect to this legislation is religious freedoms. I also oppose the bill because the redefinition of marriage threatens religious freedom and conscience. Religious freedom is already under attack in this country and I think that we can expect worse to happen if we pass the legislation.

The government says that religious officials would not be compelled to perform same sex ceremonies. That is very generous of it but this is only one of the many possible impacts on religious freedom flowing from the redefinition of marriage. That is the law of unintended consequences of this legislation. In some of the provinces, marriage commissioners right now are being compelled to affirm same sex marriages or lose their licences.

The bill would not protect these officials because it cannot. The solemnization of marriage is under provincial jurisdiction. It is not under federal jurisdiction. Therefore we should not be saying that we can protect something that we cannot.

It seems like the government's deputy House leader thinks that it is fine for marriage commissioner's to lose their licences. I do not believe that should be the case at all.

What else can we expect? Churches or temples may be forced to rent out their halls for same sex marriage receptions, which is exactly what is happening in British Columbia. A branch of the Knights of Columbus has been taken to the B.C. Human Rights Commission for refusing to rent out its hall for a same sex marriage reception.

The charitable status of religious institutions in which same sex marriages may be performed could be revoked. Religious schools or charities may be forced to hire and retain employees of same sex couples.

Last but not least there is a concern that religious officials may one day be ordered by the courts to sanction same sex marriages and allow them to be performed in our churches, mosques and temples.

• (1650)

The bill includes a declaration claiming that officials of religious groups are free to refuse to perform marriages that are not in accordance with their religious beliefs. However, this declaration carries no legal weight because the solemnization of marriage, as I have said, falls under provincial jurisdiction.

Government Orders

Freedom of religion and conscience is the lifeblood of an open society. Bill C-38 moves us further away from that standard, posing further harms to religious freedoms in Canada. As I have said, marriage commissioners are already being fired. Charitable status may already be taken away, potentially, and the outlook for religious officials and institutions to maintain their teachings and practice on marriage remains uncertain. For these reasons, too, I oppose the redefinition of marriage and this bill.

Let us move forward and look at what else might happen. The Supreme Court has not ruled on the traditional definition of marriage. In fact, it handed that back to this Parliament, which is the highest court of the country. We should do our due diligence. That is what I hope we are doing here today. Seriously concerned about this, as members of Parliament we must stand up and represent the people of Canada on this important issue.

The Prime Minister and the justice minister have turned their backs on marriage. I can tell members that we will not. A Conservative government would introduce legislation to preserve the traditional definition of marriage and would also extend the same federal benefits enjoyed by married couples to same sex unions. Our approach represents a reasonable compromise that is accepted by the majority of Canadians.

Marriage as the union of a man and a woman is a cherished institution in Canada and around the world. Not all marriages are perfect, of course, but on balance marriage is an institution that richly benefits men, women, children and society. That we would trample it and tamper with it, I would suggest to this Parliament, means that we would be on dangerous grounds and into a very dangerous experiment.

Redefining marriage would have numerous consequences. Some of them are already with us. Others will surely emerge with the passage of time. Among them is likely to be the ongoing erosion of religious freedoms in Canada.

This actually happened not long ago in Australia. Australians had the same sort of debate. The issue was in the courts and then the government was under pressure to act. There was a groundswell of support for traditional marriage in that country, just as we are seeing today. In response, the Government of Australia passed legislation preserving the definition of marriage. This government and this Parliament can and should do the exact same thing.

I urge all members of Parliament to carefully consider what is at stake. I urge my colleagues not to rush headlong into the reinvention of marriage, making our country just the third in the world to do so. I urge the Prime Minister to show true respect to his cabinet ministers and their constituents by not binding them on this bill. I urge Parliament to affirm marriage and to protect freedom of religion in Canada.

It is very important to think of the Prime Minister and some of his words over the last year, when he talked about coming in and reforming this House by giving the people of Canada a stronger voice through parliamentary reform. That is what he talked about. He ran in the last election pledging that he was going to do that when he became the Prime Minister of this country. He has been Prime Minister for a year. It took this Prime Minister six days to break his

promise with regard to whipping his backbenchers into a whipped vote. Our past prime minister was notorious for whipping his caucus, but with him it was a month or two before we saw that sort of thing start to happen. It took six days in this case.

Here we are on same sex marriage, one of the most important issues that we have faced as a Parliament and as a nation. We have a Prime Minister who claims to have democratically reformed this House so that the people of Canada truly have a voice in this place, yet he stands in his place over there and whips his cabinet on an issue like this. It is not respectful to his cabinet. It is not respectful to the people of Canada those members represent. It is an abomination to this House on an issue like this.

I would implore him to change his mind and I ask this House to change its mind with regard to allowing this piece of legislation to go through.

• (1655)

Mr. Brian Fitzpatrick (Prince Albert, CPC): Mr. Speaker, I have a preliminary comment to start off my discussion today. I found the Liberal convention very interesting this year. I place a whole lot of value on parliamentary democracy and having democracy determine our public policy. I also place a whole lot of value on our heritage, values, traditions and our social institutions such as marriage.

If someone would have told me 40, 30, 20 or even 10 years ago that a national political party, one that has been here since Confederation, would have a convention in which most of the delegates would be wearing "stupid" buttons telling people in Canada that if they believe in Parliament deciding the laws of this country they are stupid or if they believe in a social institution such as marriage they are stupid, I would not have known what to think.

This says in spades where this Liberal Party and this Liberal government have drifted in their positions on policy. They are very quickly becoming irrelevant to the Canadian public. I think that in the next year or two they are going to find that out in a very resounding way.

I used to teach high school. I taught history for four years to grade 10, 11 and 12. I always used to tell my students that we live in Canada and we live in a democracy that emphasizes representative democracy. We hold elections every three or four years and we elect our members of Parliament to a democratic institution. On issues of conscience and moral decision making and so on, what an MP has to do is read the wishes and the minds of his constituents on those issues and represent them in Parliament in Ottawa. That is a very basic principle, one as old as the hills.

I have received thousands upon thousands of messages from people in my riding who have let me know what their position is on this issue. Over 90% of these people have said that they want me to represent the traditional definition of marriage in this chamber. That is resounding. It is not a question of what I believe on this issue. When I get that sort of resounding message from my constituents, it is not a question of what I believe. That becomes irrelevant. My job as a member of Parliament is to represent that point of view in this House.

Government Orders

I am appalled and disappointed with the position of the other three leaders in the House of Commons. The Prime Minister has basically beaten his cabinet into taking his position on the issue. As for the NDP, of all parties, the party of Tommy Douglas, prairie populism, democracy and so on, the leader says no, that all of his MPs have to take his position and vote the way he wants or otherwise he will kick them out of the party. I am not sure what the position of the Bloc is, but I get the feeling that there is a good deal of pressure applied by that leader as well on this issue.

In the last election there were ridings in the country in which 50% or more of the people did not vote. What were they saying? They said, "It does not make any difference. We can send MPs to Ottawa but they are not going to listen to us anyway. The party leaders are going to make them toe the line". The numbers of voters are dropping. If we do not fix this problem in this country, our parliamentary institutions and our democratic way of doing things are going to be at serious risk.

I would like to speak on a couple of related topics. I have heard both Liberal members and NDP members say that in Canada we have separation of church and state. When we probe them on that, what does that mean in their way of dealing with things? It says to church leaders that they must shut up on the issues of the day, that they have no right to speak on those matters, and that they should stay in their churches and not speak on the issues of the day.

● (1700)

To me this shows a profound ignorance of that concept of separation of church and state. In Canada and the United States we have built our societies largely on people leaving other countries and looking for freedom of religion. They were fleeing from countries in which the state persecuted them for their religious beliefs. Now, in this day and age, we have a government that says those people should shut up and not talk about the issues of the day. This is indeed a frightening proposition.

On that issue, let us remind this Liberal government of a few basic concepts. Section 2 of our Charter of Rights and Freedoms guarantees every Canadian, without exception, the right to freedom of speech or freedom of expression. Section 2 also says that religious freedom is a "fundamental freedom". When the state in this country goes around telling people that they have to shut up, it is seriously violating the most fundamental rights in our Constitution and our Charter of Rights and Freedoms.

Let us look at the great reforms in history. Let us put this to a historical test and see how educated some of these ministers on the other side are on this issue. Let us look at the great reforms of the last couple of hundred years: the elimination of slavery, the end of child labour in Great Britain, public education reforms and the end of racial discrimination and segregation in the United States.

Who led those causes? Not politicians. Those leaders were people of religious conviction who saw things that were sinful and immoral from their point of view and they wanted public policy and reforms to address those issues. They were successful. That led to some great reforms. What a travesty for history if we had lived in a society in which the government had told those people to shut up or else and they had not led us to those great social reforms. Would we have made the progress that we say we have?

For my friends in the NDP who spout this point of view, let me say that most of them show a profound ignorance of the founding of the CCF movement. The people who created the CCF movement had strong religious beliefs. They believed in the social gospel.

One of the most powerful people in that movement was Tommy Douglas. I am from Saskatchewan and I know what his election campaigns were about. He said to the people of Saskatchewan, "Vote for me. We will take care of you. We will create a new Jerusalem in Saskatchewan. We will take care of the people. We will eliminate poverty and the need for private health insurance." So it went. But he was preaching religion. I say to a lot of the educated people on the other side of the House, to the Prime Minister, the Minister of Foreign Affairs and the Minister of Justice, that they should go back to school. I think they missed something when they were going to school.

Where would we be today without people such as Gandhi, Martin Luther King, Garrison, Lincoln, Woodsworth, Ernest Manning, T.C. Douglas, Bishop Tutu, Malcolm X and William Wilberforce? They were people who were motivated by their religious beliefs and were successful in leading great reforms in their societies. As for members opposite who are saying that this is wrong, that somehow people speaking out on the issues of the day because they have religious points of view are wrong, I say to them that they are wrong.

I want to make another observation. Members opposite say that there is something wrong with the majority deciding public policy, that there is something wrong with democracy and the democratic system because both of those things are dangerous to minority rights. I want to point out a few facts. None of the charter points existed in this country in 1982. They all came from the British system.

The British system stands on one principle and only one principle in its constitution: that parliament is supreme. It is the democratic parliamentary system that gave us freedom of religion, freedom of speech, the democratic principles that we have in our society, the criminal justice principles, and equality under and before the law. It protected these rights for hundreds of years before we ever put it into a written Constitution.

● (1705)

For members opposite to say that a democratically elected Parliament is a threat to minority rights shows the ignorance of the government.

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, before I get into my speech, I do want to thank the people of Brandon—Souris for their input on this issue. I know that for many of my colleagues and, I suspect, for many of the members in this House, this subject was part of the election issue in the last campaign. I believe that if we were truly honest with ourselves and told people what we felt, that should be reflected in the votes.

I have received many calls, many letters, many e-mails, mostly against the legislation but also some in support. I have tried to deal with all of my constituents with the same level of respect and willingness to hear their points of view.

Government Orders

This is arguably the most controversial and divisive piece of legislation to come before Parliament in a generation, and it does not have to be so. A clear majority of Canadians favour the proposal put forward by the Conservative Party of Canada, namely providing for same sex unions while maintaining that the term “marriage” will continue to apply to opposite sex couples. That is a position which is very Canadian in its compromise. I believe it is the position that most Canadians are putting forward. It is respectful of both the gay community and its desire for equal benefits under the law, and of those people who agree with maintaining the current definition of marriage as that between a man and a woman.

This divisive debate, in my opinion, is an attempt by the current government to detract from its shameful record of governing and trying to paint those who disagree with its view as intolerant or un-Canadian. It does not have to be this way. Our party's proposal keeps the term “marriage” and provides for recognition of homosexual couples.

I believe I am like most Canadians. I have friends who are gay and I have friends who are still uncomfortable with homosexuality. I think that I am also like most Canadians when I say that gays, lesbians and straight couples should be able to enter into civil unions if they so desire. I do not think we would find many Canadians who would disagree with that position. I have to stress, however, that because someone agrees that the term “marriage” should be preserved for a man and a woman, it does not make that person intolerant, but wrapping oneself in the charter and calling everyone who disagrees stupid does.

It is the tolerant and mainstream position of this party in regard to civil union that the majority of Canadians agree with. In fact I would go so far as to say that the majority of the industrialized world agrees with our position. This is shown by looking at comparable legislation enacted by countries around the world which Canada often compares itself to. France, Denmark, Norway, Sweden, Iceland, Finland, Germany, Portugal and New Zealand have all brought in laws that allow couples to enter into civil unions, unions that provide all the same benefits of marriage while maintaining the important and accepted term “marriage” as that between opposite sex couples.

Only two countries have legislated same sex marriage at the national level, Belgium and the Netherlands. Before some say that this proves it is possible to grant same sex couples what they call equal rights, I would add that in both of these countries there are some areas related to adoption or marriage of non-nationals which still make the relationship different from opposite sex marriages.

Even in the so-called progressive countries, same sex couples are treated differently from opposite sex couples. I am certain that the Prime Minister would not call the leaders of those countries stupid for not giving same sex couples the exact same legislation of the traditional definition.

It is true that several Canadian provinces and one territory have same sex marriage. Add to that the American state of Massachusetts and we have all the jurisdictions in North America that allow it. It should be noted, however, that all of these jurisdictions have had the decisions dictated by the courts, not by their parliamentarians.

●(1710)

Some jurisdictions have enacted civil union on their own initiative, including uber-liberal Hawaii and Howard Dean's Vermont. These states have always been viewed as forward looking by Canadian liberals. It should be stressed that neither state has brought in same sex marriage. That would be called intolerant by the government. I am sure Mr. Dean would find it amusing that Canadian Liberals would find his views intolerant, views that, I may add, reflect exactly the position of this moderate mainstream Conservative Party.

The Conservative position is one that is in line with the views of most Canadians. It is a compromise between those who will stop at nothing until same sex couples have marriage even if it means potentially trampling on religious rights in the process, and those on the other side who believe that same sex couples are illegitimate and deserve no recognition at all. Let us respect the views held by mainstream Canadians and enact legislation allowing civil unions and keep the term “marriage” reserved for those who are of the opposite sex.

Canadians agree. So does most of the industrialized world. In December New Zealand passed civil union legislation that is open to both same sex and opposite sex couples. It allows for same sex couples to obtain the benefits of marriage while leaving the term “marriage” for a man and a woman. It is true that the left of centre, progressive, tolerant, forward looking, inclusive, moderate and mainstream Labour Party of New Zealand has the same position on marriage as the Conservative Party of Canada.

It is not the Conservatives who are out of touch with Canadian values or those of the international community. It is the Liberals across the way.

The civil union bill was brought before the New Zealand House of Representatives on June 24 last year by the Labour-led coalition government. It sparked a huge national debate there, very similar to what we are seeing with the civil marriage bill in Canada.

Speaking to the civil union bill in New Zealand at first reading, the hon. Chris Carter, an openly gay Labour MP and minister of conservation said that he supported the legislation because it was an opportunity to publicly register his relationship with his partner and to obtain proper legal protection for their rights.

When responding to the fact that the bill did not allow for same sex marriage, Mr. Carter said:

The irony is that this bill does not allow couples like Peter and I to marry. I am often asked whether I am comfortable with this—and, actually, I am.

I accept that marriage has a traditional and religious heritage, which is why our churches are so protective of it.

I recognize that those churches often cannot include same-sex couples in their world view.

Therefore, I accept that it could be difficult for the State to apply the institution of marriage to same-sex couples until the majority of our religions have done so.

That sounds so familiar to the debate taking place in Canada. Talk like that in this country would have one branded as being intolerant or worse, against the charter, by the Liberals across the way.

Government Orders

The bill provides public recognition of same sex relationships while at the same time respecting the beliefs of those who think marriage, often due to religious beliefs, is between a man and a woman. That is reasonable and fair. We on this side cannot understand why the Liberals on that side do not get it.

Georgina Beyer, a post-operative transsexual Labour MP also voiced her support of the legislation, saying:

This is no more or less than we are asking for with the Civil Union Bill—for the sake of enhancing the lives of New Zealanders, not for destroying the institution of marriage, which we stand here in this House today to acknowledge and respect for what it is.

My party shares the same views as the Labour Party of New Zealand and yet is labelled intolerant by Liberals because we want to give equality of status to homosexual couples while respecting those who believe in the current definition of marriage. Canadians are willing and ready to accept this. I believe we represent the majority of Canadians.

I will be opposing the bill presented as it is. I will continue to support the values as presented by the Conservative Party of Canada.

● (1715)

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I would like to expand on some comments that I made in the debate when it began a couple of weeks ago surrounding the issues of religious freedoms, specifically the lack of any genuine protection of religious freedoms in the legislation before the House.

The lone clause included to protect these freedoms, a clause which states that religious officials will not be forced to perform marriages, has already been ruled as falling within provincial responsibility by the Supreme Court of Canada. Thus it is beyond the federal government's power.

Moreover the legislation does nothing to accommodate or even grandfather those civil officials throughout the country who serve as marriage commissioners, even though the justice minister himself has suggested the religious freedoms of these officials should and would be protected. He remarked in a recent interview, "No one should be compelled to perform a same sex marriage contrary to their religion or belief. We believe we can reach accommodations so that those who do not want to perform that same sex marriage, religious officials or civic officials, by reason of religion or conscience will not be required to do so".

Yet presently some of the provinces are forcing marriage commissioners to perform these marriages, even when doing so would conflict with their religious beliefs. This has led to a wave of resignations and human rights complaints from civil officials who have refused to perform ceremonies on religious grounds.

In my home province of Saskatchewan, provincial officials have taken one of the hardest stands with regard to civil officials. Marriage commissioners, regardless of their deeply held religious beliefs or tenure of service, were informed that they must perform same sex marriages or be stripped of their responsibility.

Yet the justice minister, who once stated that protecting the religious freedoms of such officials was desirable, now bizarrely dismisses this as a provincial matter, no longer a concern of the federal government. It is bizarre because the government has

included a clause, as mentioned earlier, stating that religious officials will not be forced to perform marriages, clearly a provincial matter.

Nevertheless, the minister is apparently content to disregard the genuine concerns of people like Regina marriage commissioner Orville Nichols. Mr. Nichols simply wants a balance. He is simply requesting that his religious belief systems be tolerated and accommodated in the same manner as others would expect their views to be upheld. If the federal government is intent on altering the definition of marriage, it should ensure protections are in place for people like Orville Nichols.

For anyone who suggests this balance is unfeasible, I refer them to the case of Ontario. Instead of taking a rigid line, like my home province, it sought and achieved a balance. When Ontario updated its laws to accommodate court rulings that legalized same sex marriages, the province was silent on rights and obligations of civil officials. Effectively this has ensured that these officials would not be obliged to perform a marriage contrary to their religious belief system.

This is the proper course of action to take. This is a thoughtful balance. Indeed, even the *Toronto Star* has admitted as much, stating in a recent editorial, "Sensibly, Ontario has taken a laissez-faire attitude, allowing cities and towns to accommodate staff who do not wish to perform same sex weddings for religious or other reasons".

The government has failed to achieve such a sensible and balanced approach in this legislation. This legislation teeters too far in one direction.

Traditional religious belief systems and secular values must be recognized in an equitable and thoughtful manner. We must achieve a proper balance.

I would like to bring to the attention of the House a representative sample of the views of my constituents on this issue. People in my riding have devoted much time looking at this issue and have developed some well thought out opinions worthy of our consideration. It is important that their voices be heard.

Joe Jeerakathil of Saskatoon, Saskatchewan, a strong advocate for maintaining the current definition of marriage, reminds us that:

Marriage, as currently defined, predates governments, states, courts and charters of rights.

● (1720)

The Christian Church's definition - 'a union of a man and a woman' - comes from the legal Digest of the Roman Emperor Justinian.

Marriage existed in pre-Christian civilizations and has always been a union between a man and a woman.

The Catholic Church declared marriage a sacrament in the Council of Trent.

The Roman Catholic view of marriage is based on the Aristotelian principle of natural law.

Although Aristotle originated the concept, Thomas Aquinas, the giant of Christian philosophical thought, gave it theological shape. He defined natural law as participation in the eternal law of the universe by rational creatures with a built-in commitment to doing good.

A union of a man and a woman fulfills the natural law or God's law because it leads to procreation and, hence, does not fall within the term 'marriage'.

Supply

Another letter I received from a constituent, Pastor Daryl Olson of Outlook, Saskatchewan, yet another supporter of the traditional definition of marriage, reminds us of the important role marriage has in our society. He writes:

The institution of marriage is not a planned invention of human society.

Rather, it signifies a particular relationship between a man and a woman,...

...a unique way of life that has emerged from human existence and experience during the history of humanity with two obvious goals:

...the mutual support of the partners and procreation of children.

By nature, this particular lifestyle has the capacity to fulfill both of these goals...

A same-sex union, however, by its particular and unique nature is incapable of procreation.

This particular illustration of the uniqueness of these two kinds of relationships alone begs for a respectful and separate treatment for both.

In other words, ... just as the institution of marriage has been recognized and protected based on its uniqueness and merits, ...

...similarly, some form of legally formalized same-sex partnerships could be recognized and protected based on its uniqueness and merits.

The institution of marriage and a possible form of legally regulated same-sex partnership, should name and safeguard their unique rights and duties with corresponding laws and regulations.

Those were just two examples that illustrate the strong desire among the vast majority of my constituents to maintain the traditional definition of marriage. Although some in my riding have just as passionately argued the opposite position, I must defer to the wishes of the overwhelming majority of my constituents.

As a result, I would like to state that while I believe the federal government must fully recognize that same sex relationships possess equivalent rights and privileges as opposite sex ones, I am unable to support the legislation. Moreover, I base this vote not only on my own personal convictions but also, if not primarily, on the fact that the majority of the constituents I represent across my province have expressed similar reservations.

● (1725)

Mr. Werner Schmidt (Kelowna—Lake Country, CPC): Mr. Speaker, it was my delight and fortune a couple of days ago to meet a scholar and person of great skill in the art of communication. She was able to expose some of the most apparently plausible yet false positions advanced by the supporters of same sex marriage against those wishing to retain the traditional definition of marriage.

She is Margaret Somerville, Samuel Gale Professor of Law and Professor, Faculty of Medicine, McGill University. She states that the case for same sex marriage is “based almost entirely on equating being against homosexuals, disrespecting them and thereby breaking their human rights”.

The debate about the definition of marriage raises fundamental issues of mutual respect. Somerville asks, “What is required to respect homosexual people and their committed relationship and to respect people for whom marriage institutionalizes and symbolizes the inherently procreative relationship between a man and a woman?”

The least intrusive of both streams of respect response is to legally recognize same sex partnerships and keep marriage as the union of a man and a woman. “Why is this the best approach?”, she asks. “Because it is ethical. Ethics requires taking the least intrusive alternative that is available and likely to be effective in achieving the goal”.

To deny same sex marriage is to show that we have no respect for homosexuals and their relationships is unacceptable from an ethical perspective and discriminatory from a legal perspective. Not only is recognizing civil unions established under the laws of a province with the same benefits, rights, obligations and protection as those who are married, one man and one woman, ethical and legal, it is also consistent with a fundamental Canadian value of equality.

That is a matter of great interest to our current Minister of Justice. In the proposed legislation we are dealing with committed adult relationships. These relationships are different. Men and women are different. Despite those differences, men and women are equal before and under the law. Yet no one would dispute that they are different.

I would argue that same sex couples as civil unions and marriage as the union of a man and a woman while different are equal before and under the law provided the same benefits, rights, obligations and protections are accorded to both. Thus, they are different and equal.

In recognizing same sex unions and according them the same rights, privileges, protections and obligations as heterosexual couples, the equality argument falls away. It is perfectly consistent with the provisions of Canada's Constitution because it shows respect and tolerance and is therefore clearly non-discriminatory. The recognition clearly accepts that while different, same sex couples are and should be treated the same as heterosexual couples.

* * *

● (1730)

[Translation]

SUPPLY

OPPOSITION MOTION—SPONSORSHIP PROGRAM

The House resumed from April 14 consideration of the motion.

The Acting Speaker (Mr. Marcel Proulx): Order. It being 5:30 p.m., pursuant to order made on Thursday, April 14, the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

Call in the members.

● (1800)

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

(Division No. 65)

YEAS

Members

Abbott
Allison
Anders
Angus
Bachand
Bellavance
Bergeron
Bigras
Blais
Bonsant
Boulianne
Breitkreuz
Brunelle
Carrie

Ablonczy
Ambrose
André
Asselin
Batters
Benoit
Bezan
Blaikie
Boire
Bouchard
Bourgeois
Broadbent
Cardin
Carrier

Private Members' Business

Casson	Chong	Chan	Comuzzi
Christopherson	Clavet	Cotler	Cullen (Etobicoke North)
Cleary	Comartin	Cuzner	D'Amours
Côté	Crête	DeVillers	Dhalla
Crowder	Cullen (Skeena—Bulkley Valley)	Dion	Dosanjh
Davies	Day	Drouin	Dryden
Demers	Deschamps	Easter	Emerson
Desjarlais	Desrochers	Eyking	Folco
Devolin	Doyle	Fontana	Frulla
Duceppe	Duncan	Fry	Godbout
Epp	Faille	Godfrey	Goodale
Finley	Fitzpatrick	Graham	Guarnieri
Fletcher	Forseth	Holland	Hubbard
Gagnon (Québec)	Gagnon (Saint-Maurice—Champlain)	Ianno	Jennings
Gagnon (Jonquière—Alma)	Gallant	Kadis	Karetak-Lindell
Gaudet	Gauthier	Karygiannis	Khan
Godin	Goldring	Lapierre (Outremont)	Lastewka
Goodyear	Gouk	LeBlanc	Lee
Grewal (Newton—North Delta)	Grewal (Fleetwood—Port Kells)	Longfield	MacAulay
Guimond	Hanger	Macklin	Malhi
Harper	Harris	Maloney	Marleau
Harrison	Hearn	Mathews	McCallum
Hiebert	Hill	McGuinity	McGuire
Hinton	Jean	McKay (Scarborough—Guildwood)	McLellan
Johnston	Julian	Minna	Mitchell
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)	Murphy	Myers
Kenney (Calgary Southeast)	Komarnicki	Neville	O'Brien
Kotto	Kramp (Prince Edward—Hastings)	Owen	Pacetti
Laframboise	Lafonde	Paradis	Patry
Lapierre (Lévis—Bellechasse)	Lauzon	Peterson	Pettigrew
Lavallée	Layton	Phinney	Pickard (Chatham-Kent—Essex)
Lemay	Lévesque	Powers	Ratansi
Loubier	Lukiwski	Redman	Regan
Lunn	Lunney	Robillard	Rodriguez
MacKay (Central Nova)	MacKenzie	Rota	Saada
Marceau	Martin (Winnipeg Centre)	Savage	Savoy
Martin (Sault Ste. Marie)	Masse	Scarpaleggia	Scott
McDonough	Ménard (Hochelaga)	Sgro	Silva
Ménard (Marc-Aurèle-Fortin)	Menzies	Simard (Saint Boniface)	Simms
Merrifield	Miller	Smith (Pontiac)	St. Amand
Mills	Moore (Port Moody—Westwood—Port Coquitlam)	St. Denis	Steckle
Moore (Fundy Royal)	Nicholson	Szabo	Thibault (West Nova)
O'Connor	Obhrai	Tonks	Torsney
Oda	Pallister	Ur	Valeri
Paquette	Penson	Valley	Volpe
Perron	Picard (Drummond)	Wappel	Wilfert
Plamondon	Poilievre	Wrzesnewskyj — 119	
Poirier-Rivard	Prentice		
Preston	Rajotte		
Reid	Reynolds		
Richardson	Ritz		
Roy	Sauvageau		
Scheer	Schellenberger		
Schmidt (Kelowna—Lake Country)	Simard (Beauport—Limoulu)		
Skelton	Smith (Kildonan—St. Paul)		
Solberg	Sorenson		
St-Hilaire	Stoffer		
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	Toews		
Thompson (New Brunswick Southwest)	Tweed		
Thompson (Wild Rose)	Vellacott		
Trost	Warawa		
Van Loan	Watson		
Vincent	Williams		
Wasylycia-Leis			
White			
Yelich — 157			

NAYS

Members

Adams	Alcock
Anderson (Victoria)	Augustine
Bagnell	Bains
Bakopanos	Barnes
Bélangier	Bell
Bennett	Bevilacqua
Blondin-Andrew	Boivin
Bonin	Boshcoff
Boudria	Bradshaw
Brisson	Brown (Oakville)
Bulte	Cannis
Carr	Carroll
Catterall	Chamberlain

PAIRED

Members

Coderre	Guay
Lessard	Zed — 4

The Acting Speaker (Mr. Marcel Proulx): I declare the motion carried.

[*English*]

It being 6:04 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1805)

[*Translation*]

GASOLINE PRICES

The House resumed from February 11 consideration of the motion.

Private Members' Business

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, I am pleased to speak in this House on a topic that affects many people. The skyrocketing price of gasoline in the past few years, and even in the past few weeks, affects our fellow citizens in particular.

It is interesting to see that the price of fuel can vary considerably by several cents in a single region. I think it is important for the government do something about this problem as soon as possible.

First I will give you an outline of the current situation before discussing possible solutions. The current situation already has a direct impact on the price of transporting building materials, on prices in the food industry, and on the price of home heating. In short, no one is spared. It goes without saying that the only positive consequence of the increased price of gasoline is that, in some cases, people are driving their cars less or using other modes of transportation that do not use fuel. However, the increase in the price of fuel has an impact on the transportation industry and is putting small businesses on the verge of bankruptcy.

Coming from a resource region, I see the direct effect on the trucking industry in Saguenay—Lac-Saint-Jean where truckers have to cover large distances to deliver their products. When forced to raise their prices, the truckers become less competitive in comparison with other carriers in large centres.

Finally, the price of gas has such serious consequences that people are getting together to find solutions. In Saguenay—Lac-Saint-Jean for example, there has been a consumers defence coalition for more than five years concerning the increased price of gasoline. This coalition brings together about 14 very active members in the area who decry the situation. At the present time, the price of gas varies from moment to moment. Take Ottawa and Montreal for example: the difference runs between 81.9¢ and 99.4¢ a litre.

So what are the reasons for these differences in price? We will answer this question in a moment. But we see the oil companies making staggering, outlandish profits. Compare, for example, Petro Canada's first quarter in 2002 and in 2003. There was an incredible \$88 million leap to \$584 million. Insofar as Esso is concerned, the company let it be known that the first quarter of 2003 was the best in its history. The explanation for the variation in gasoline prices can be found within the oil industry.

Two things are mainly responsible for the increase in oil profits. First, the oil industry is not faced with any competition. The three largest refiners have 75% of the market. It is therefore easy for the companies to dictate the price to consumers or to fix the market price. In addition, according to the Association québécoise des indépendants du pétrole, the oil companies increased their base profit on refining from 3¢ to 7.2¢ a litre between 1998 and 2003, which explains the outstanding sales figures of the two companies, namely Petro Canada and Esso. What is the government waiting for?

• (1810)

The report of the Standing Committee on Industry, Science and Technology submitted in November 2003, proposed two solutions, which the Bloc Québécois strongly supports.

First, a petroleum monitoring agency must be set up. The oil companies are not non profit businesses.

However, the motion before the House calls on the government to oversee the petroleum sector. The federal government has never done anything to help consumers and has a fine opportunity here to set up a system to monitor the petroleum industry.

In November 2003, the Standing Committee on Industry, Science and Technology strongly recommended the creation of this agency to monitor the sector. In addition, the creation of such an agency would enable us, the government and legislators, to keep a close eye on the industry.

The committee also recommended strengthening the existing legislation. The Competition Bureau, for example, must have greater freedom to act.

The Liberal government, citing all sorts of reasons over the past two years, chose not to establish measures that would have minimized the impact of rising gasoline prices for many. So, today, we face the same situation as two years ago.

I hope all members of this House will support the motion, which would put a real system in place to deal with the problem of gasoline prices, a system that would include the creation of an agency to monitor consumer gasoline prices.

[English]

Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I am pleased to have this opportunity to address the House on Motion No. 165.

Motion No. 165 contains two separate proposals. One deals with the creation of a petroleum monitoring agency and the second deals with amendments to the Competition Act. Today I would like to comment on the first part of the motion, which proposes the creation of a petroleum monitoring agency. The motion states:

That...the government should take action with regard to gasoline prices by: (a) setting up a petroleum monitoring agency responsible for preparing an annual report on all aspects of the industry, including how prices are set and competition issues....

The report would be considered by the Standing Committee on Industry, Natural Resources, Science and Technology.

[Translation]

The government has frequently been asked to create a federal commission or agency to monitor gas prices. Such proposals usually surface when petroleum product prices are increasing or fluctuating. The most recent proposal was made by the former Standing Committee on Industry, Science and Technology in November 2003.

Private Members' Business

•(1815)

[English]

Its report, "Gasoline Prices in Canada", recommended that the federal government create an independent agency that would undertake the collection and dissemination of information on gasoline prices. The purpose of this report was to make consumers more fully aware of the competitive nature of the industry.

After careful consideration of the recommendation, the government responded to the committee in April 2004. While the government agreed with the committee on the importance of having publicly available information on petroleum product prices in Canada, it indicated that current government activities, along with the gasoline pricing information collected and publicly distributed by other levels of government, agencies and the private sector, provided the most practical and cost effective method of informing the consumer.

When gasoline prices rise, Canadians naturally are concerned. High prices directly affect our cost of living. We all sympathize with those who have had to cope with these increases, and all of us in this House have had to do that as well.

[Translation]

To handle the issue of gas prices, we must first clearly understand what causes these increases and what action the Government of Canada can take under our Constitution.

The law of supply and demand dictates the price of gas in competitive markets.

[English]

Since 1985 the government has been committed to a market-based energy policy. Oil prices are set in the international marketplace. This is the basis for our domestic crude oil prices and ultimately for the price of refined petroleum products.

The current increases in oil product prices are largely due to developments in international markets over which Canada has no control. First, there is the growing world oil demand in China and the United States which has pushed crude oil prices up. Second, the tight supply-demand balance in petroleum product markets, particularly in the United States, is forcing wholesale prices up. Third, speculative commodity forces are affecting prices further.

Although there are no shortages of crude oil or products, these market conditions result in higher petroleum product prices for consumers.

[Translation]

Besides the price of crude oil, numerous other factors influence prices at the pump. I will mention the costs to produce and transport the product, and the level of supply, inventory and demand, on both local and international markets.

As you may know, the price of gas includes federal and provincial taxes.

[English]

Information collected by the International Energy Agency shows that on an excluding tax basis Canadian gasoline prices are

comparable and even lower than those of most industrialized countries.

As I indicated earlier, there have been calls in the past for the federal government to take action with regard to gasoline prices. The Government of Canada continues to be actively involved in addressing the concerns of all Canadians regarding petroleum product prices. For example, a few years ago Industry Canada and Natural Resources Canada co-sponsored two separate studies by the Conference Board of Canada.

One study focused on Canadian gasoline markets and the other on diesel markets. The purpose of the gasoline study was to take an independent and comprehensive look at the nature and functioning of the wholesale and retail gasoline markets in Canada. The diesel study looked at changes in the Canadian diesel industry over the previous decade and the impact of those changes on the trucking and farming sectors.

The final reports released in 2001 indicated that Canada was well served by our market policy. Overall, it operates efficiently and generates some of the lowest gasoline prices in the world.

[Translation]

In May 2004, in response to consumer concerns, the Competition Bureau undertook a new examination of Canadian oil and gas markets in order to determine if retail price increases in the spring and summer of 2004 were the result of anti-competitive behaviour.

[English]

On March 31 this year, the Competition Bureau released the results of its extensive examination. Its general findings indicated that the rapid rise in retail gasoline prices was due to low inventories of gasoline in North America and worldwide increases in the price of crude, that the pricing behaviour in the major centres in Canada was in response to normal market forces and that prices in Canada continued to be lower than in most countries in the industrialized world.

Only in the case of an emergency does the federal government have the authority to take measures to affect product pricing. Those authorities and the broad circumstances in which they can be used are set out in legislation. Under the Energy Supplies Emergency Act, a system of price and allocation controls can be imposed in a national emergency caused by shortages or market disturbances affecting "the national security and welfare and the economic stability of Canada".

[Translation]

Under the Emergencies Act, the government can take special temporary measures during a national state of emergency. A "national emergency" means an urgent or critical situation of a temporary nature that seriously endangers the lives, health or safety of Canadians and that cannot be effectively dealt with by a province or under any other law of Canada.

Private Members' Business

• (1820)

[English]

Declaration of a national emergency requires approval by the governor in council. It is not a power to be exercised lightly. There are currently no shortages of crude oil or petroleum products in Canada that would necessitate such actions.

Under Canada's Constitution, the provinces have the authority to regulate retail prices and some provinces have taken this path.

Currently, Prince Edward Island, Newfoundland and Labrador and Quebec regulate prices in some manner. In Prince Edward Island the Island Regulatory and Appeals Commission regulates the timing and the frequency of wholesale price changes and determines the minimum and maximum mark up between the wholesale price to the retailer and the retail price to the consumer. In Newfoundland and Labrador the Petroleum Pricing Office within the Board of Commissioners of Public Utilities is responsible for regulating fuel prices by setting the maximum retail price at the pump in each region.

[Translation]

In Quebec, the Régie de l'énergie is responsible for monitoring gas and diesel prices and calculating the minimum retail price that retailers in each region can set. Clearly, the provinces and the federal government do not view regulation as a power to be exercised lightly.

[English]

Public information on petroleum product prices is already available through various sources, including provincial governments, petroleum agencies, the private sector, international agencies and governments. Natural Resources Canada is working to ensure that Canadians are aware that such information is available and that they can access it by NRCan's website.

At the federal level, the Competition Bureau plays a role in overseeing competitive aspects of the gasoline sector.

[Translation]

The creation of an agency could confuse consumers about the federal government's role with regard to gas prices. As a result, the public might believe that the federal government can intervene in the regulation of gas prices. This runs counter to the fact that, in the absence of a national emergency, retail price regulation comes under provincial jurisdiction, as I stated earlier.

[English]

In conclusion, because gasoline pricing falls under provincial jurisdiction, because the federal government's action is limited to emergency situations and because anti-competitive behaviour can be appropriately addressed under the Competition Act, I would ask members not to support the motion.

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, it is an honour today to rise to speak to Motion No. 165. This is a motion that concerns all Canadians and one that constantly grabs the headlines in our national newspapers, as it does affect every Canadian in their pocketbook.

The motion is about gas pricing and what the government can do to discourage and prevent price fixing. The motion requires that the government should take action with respect to gasoline prices by:

—setting up petroleum monitoring agency responsible for preparing an annual report on all aspects of the industry, including how prices are set and competition issues, whose director would be...appointed for a three-year term after consultation with sector representatives and the Standing Committee on Industry, Natural Resources, Science and Technology...and by bringing forward amendments to strengthen the Competition Act, including measures to ensure that the Competition Commissioner has the power to launch investigations, summon witnesses and ensure confidentiality.

In essence it is to set up an agency to monitor and report on pricing and to strengthen the Competition Act.

The Standing Committee on Industry, Science and Technology recommended legislation that did not go as far as this motion. The government has still not acted on any of these recommendations.

The Conservative Party does not support the motion as we believe it is the first step to regulating gas prices in the country which would ultimately hurt consumers and taxpayers.

On Thursday, March 30, the federal Competition Bureau ruled, "Low inventories of gasoline in North America and worldwide increases the prices of crude oil". This led to the increase in retail gasoline prices in 2004 and indeed it was found that there was no evidence of collusion among gasoline companies.

This industry in Canada has been investigated by the Competition Bureau for collusion more times than any other industry, in fact 19 to 20 times. All these investigations have found no evidence of collusion among gasoline companies.

The Conservative Party of Canada does not support the idea of regulating gas prices. We believe competition is the right road to follow. We believe supply and demand in a free market economy is the best regulator of prices for consumers.

However, we must encourage those through legislation the ease of entry of other players into the market to keep prices fair without unconscionable profits by oil and gas companies. The Conservative Party recognizes, however, that there is a problem of perception or consumers in Canada. That perception is that there is price fixing, but there is no evidence of that so far. High prices are seen equally at every gas station.

We support further efforts by the industry itself and we also support further efforts by non-governmental organizations and by the federal natural resources department to provide more information to Canadians on the price of gasoline. Information is the key to beat any perception.

In short, the Conservative Party believes that the price of gas is an important consumer issue and that the government and industry should do more to explain to consumers: first, how the price of gas is set; second, why it fluctuates so greatly; and third, to ensure regulations are in place to promote a competitive environment and a competitive pricing environment that eliminates all forms of collusion in the industry.

This recommendation would go a long way to help Canadians' perceptions about the oil and gas industry itself with regard to the issue of price fixing.

In November 2003 the Conservative Party called on the government to immediately contact the oil and gas industry to encourage the industry to fund and appoint a petroleum information commissioner to provide information to all Canadians and help address consumer concerns.

Quite simply, gasoline is one of the most heavily taxed products in Canada, with taxes reaching approximately 40% to 50% of the retail price. If we take out the tax component, Canada ranks in the lowest percentile of all countries in the world as far as gas prices.

• (1825)

The leader of the official opposition has repeatedly demanded that the Liberal government take immediate action on the soaring gas prices by using its tax power to lower prices at the pump through tax reduction. Canada's gas prices have reached record highs and prices have nearly doubled since the Liberal government took power in 1993.

The fastest and the easiest way to give Canadians relief at the pump is for the federal government to stop charging GST on top of gasoline excise taxes. It is time to axe the tax on the tax.

Industry analysts estimate that for every 1¢ increase in gas prices per litre federal reserves swell by \$32 million per year. Tax. Tax. Tax. That is the Liberal way.

The rapid changes in prices are a sign of healthy competition, not a sign of collusion, with the exception of course of the percentage of taxes levied by the Liberal government. Taxes are, indeed, the fastest growing component of the final price of gasoline.

Some other recommendations from the Conservative Party, other than tax reductions include: first, that the Competition Bureau should be provided with the resources necessary to ensure the effective enforcement of the Competition Act; and second, that the government should bring forward amendments to strengthen the Competition Act, but not for the sole purpose of regulating gas prices.

Due to the healthy competition of oil and gas prices, infrastructure developments in Canada by oil and gas companies and the government are part of everyday life. We are looking forward to, in my riding of Fort McMurray—Athabasca, some investment in infrastructure from a reduction in taxes and from the gas tax rebate.

I would like to give some examples of recent developments in my riding due to the fact that the government does not regulate gas pricing. Unfortunately, because the amount of investment in our infrastructure requirements in northern Alberta is, quite frankly, so

Private Members' Business

pathetic, given our fast growth of 15% to 20% per year, there are no examples I can give of this type of investment.

We in northern Alberta continue to wait for investment for our infrastructure needs to replace our collapsing water and sewer systems, to replace our dangerous roads, and to fund our overtaxed municipalities. There is no question that a deregulated, competitive oil and gas sector would give us lower pricing, and would create more and better infrastructure in my region.

I am giving notice now, though, that I am not going to hold my breath and wait for the Liberal government to provide that type of investment. I am wondering however if the Liberal government would be prepared to hold its breath until we receive a fair return in northern Alberta for what we invest in Canada every year.

• (1830)

[*Translation*]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it is a pleasure for me to speak to motion M-165 by the member for Abitibi—Baie-James—Nunavik—Eeyou. This motion calls for the creation of a petroleum monitoring agency and amending the Competition Act so that the Competition Commissioner would have the power to launch investigations, summon witnesses and ensure confidentiality.

I am speaking in favour of this motion because we are very familiar with the plight of Canadian families all across the country. For 10 years these families have been suffering from an income shortfall. All across the country, average workers have lost 60¢ on their hourly rates. They have lost 60¢ in real terms. At the same time, we know that they have been working longer and longer weeks. All this means that Canadian families have fewer and fewer resources.

In this state of affairs, it is very important to protect these families when the industry or companies decide to take advantage of the situation to raise prices unnecessarily. It is a way to boost their profits, but on the backs of consumers of course.

[*English*]

I am speaking in favour because when we look at gas prices we know that it is affecting people across this country. In the Vancouver region, the riding of Burnaby—New Westminster where I come from, gas prices have now hit \$1.03 a litre. In other parts of the country it is approaching \$1 a litre. In Sydney, Nova Scotia, is at 97¢, Halifax is at 96¢, and Yarmouth is at 98¢. In other parts of the country it is approaching \$1 a litre.

Private Members' Business

Some declarations in the House over this motion have stated that it is not because of windfall profits that the prices have been moving so extremely high, but that it is because of the price of crude per barrel. That is indeed why these prices have risen so much.

Historically, we know that prices of retail gasoline, adjusted for inflation, have remained on average fairly stable. However, the prices have decreased. The price of crude, for example, was about \$15 a barrel in the 1990s and we did not see significantly lower prices at the pump during that period. In fact, the normal rule of thumb is that when a barrel of crude goes up \$1, the price at the pump goes up 1¢.

Over the last three months we have seen the price of crude increasing per barrel by \$14 and the price at the pump has not increased by 14¢. In places like Burnaby and New Westminster the retail price of gasoline has increased 20¢ to 22¢ a litre. We are not talking about a situation where wholesale prices have made the difference in the retail price at the pumps. In fact, it is quite the contrary. What we are seeing is an acceleration. As the price of crude is going up at the wholesale level, we are seeing a marked increase for consumers across this country.

We know that we have to address the situation. We cannot simply agree because the industry says, "The price of crude went up so much, we have jacked the prices up and that is all right". We have to look at all the facts. The facts are that the big five oil companies in Canada have had skyrocketing profits estimated at \$7 billion this year. Imperial Oil was \$1.68 billion, Husky was \$1.3 billion, and Petro-Canada was \$1.66 billion. We are seeing record profits in the oil industry as well.

As prices have gone up at the wholesale level a certain amount, we are seeing windfall profits being forced upon consumers because the Liberal government has done nothing and, same old same old, the Conservative opposition says, "Yes, let the oil companies gouge consumers".

One of the speakers before me said that there was no evidence of collusion. There is certainly not any from the Liberal government that is not looking after the interests of Canadians and consumers, but let us look at the senate permanent subcommittee on investigations in the United States that has some experience dealing with antitrust and anti-competition efforts to gouge consumers. In an April 2002 report by the U.S. senate permanent subcommittee on investigations, it found that markets, in which a few firms dominated, such as Canada, tended to decrease supply in order to raise prices.

The Competition Bureau looked into this issue and because it is toothless under the Liberal government, rather than look at the entire issue of how wholesale prices have gone up a certain amount and retail prices much more and rather than look at the issue of how we have reduced supply and how that is being manipulated for windfall profits, it chose to simply look at the retail price at the pump. That is not defending consumers; that is not defending Canadians. That is why this motion is so important. We need to monitor this in the best interests of all Canadians.

I would like to mention that the efforts of the Liberal government, when we talk about environmental efforts and initiatives, have been

absolutely pathetic. We are looking at a situation where, when the government set targets to decrease greenhouse gas emissions by 20%, it missed the mark so badly that greenhouse gas emissions actually increased by 20%.

•(1835)

We have seen a government that, in dealing with both the oil industry and the auto industry, has dealt with voluntary compliance measures. Voluntary compliance is as good as any other request one makes. There is no meaningful way of meeting targets that are set for voluntary compliance.

I should mention that we had a reduction in what the oil and gas industry should have put in to meet the Kyoto objectives. We had talked originally about 55 megatonnes. The Liberals capitulated, as they have in so many other areas, and reduced the annual emission targets to 37 megatonnes. I should also mention that 20% of Canada's greenhouse gas emissions came from the oil and gas sector in 2002.

Unfortunately, we have no action from the Liberal government to protect consumers and Canadians. We know that at the retail gas level, gas station owners are hardworking business people, but they are dealing with reduced supply, a small number of refineries, and they are in a bind as well, yet the government has done nothing.

In this corner of the House we are doing things. We called for a competition inquiry into the relationship between corporate concentration and gas price increases that have gouged Canadians. As well, the hon. member for Windsor West brought Motion No. 177, dealing with the petroleum monitoring agency, to the industry committee. As a result we had the industry committee itself recommending that we create and fund a petroleum monitoring agency to ensure that we understand what is happening with the oil and gas industry and to ensure that consumers and Canadians are protected.

In two corners of this House, the Liberal corner and the Conservative corner, they could not care less about consumers and Canadian families that are dealing with more and more challenges as their actual real wages fall, and as government programs get cut, but in this corner of the House we are standing up for consumers and Canadians. We have seen windfall profits. We have seen the gouging of consumers by taking advantage of a moderate rise in the wholesale price to bring about a huge rise in the retail price.

We will continue to speak out. We will support this motion because it is in the interests of Canadians from coast to coast to coast, and we will not let up. We will continue to fight for Canadians.

•(1840)

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am very happy to speak to this motion introduced by my colleague from Abitibi—Baie-James—Nunavik—Eeyou. He has particular reasons for wanting this motion adopted. Living in an outlying region, he is more aware than anyone of the impact on regional economies of increases in the price of gasoline.

He is therefore proceeding with an idea that had been suggested in the Standing Committee on Industry, National Resources, Science and Technology, namely creating a petroleum monitoring agency. It is not a question of controlling prices but simply of having an agency that can report to the House for three consecutive years on market developments.

Another recommendation had to do with strengthening the Competition Act to enable the Commissioner of Competition to conduct investigations. It was the current Commissioner's predecessor, Mr. Finckenstein, who proposed this, claiming that the act did not give him the necessary powers and that he absolutely had to prove collusion before he could do anything else.

We do not mean to say by this motion that there is collusion. We do say, though, that there are unacceptable increases now in the price of gasoline on the market and that this has harmful effects on the economy. Our position was greatly strengthened at the end of last week. The G7 finance ministers, including Canada's, agreed on one of the main elements, and I quote one of the sentences from their press release:

[English]

The group of seven countries endorsed more timely and accurate information about the oil market, which officials said could help control price fluctuations and make companies more willing to expand production.

[Translation]

In other words, the G-7 finance ministers have said that the rise in gasoline prices has negative impacts on the economy and that some way absolutely must be found, not to control prices, but to gain a better understanding of the situation so that it will not recur, as it is at present.

So there are some major consequences for the economy. I might add that the U.S. Secretary of the Treasury—and I do not believe the Republican party in power there can be accused of any leftist leanings—has said that the purpose of the press release is to indicate to the financial community that the G-7 is handling the situation. The proposal on the table is the outcome of an in-depth study in the Standing Committee on Industry, Natural Resources, Science and Technology.

What we in the Bloc Québécois emphasized was that the committee ought to call in the oil companies, hear what they have to say, and hear the other experts, and that was done. This was followed by an analysis and a four part recommendation. The Alliance, as it was at the time, was opposed, because it was particularly representative of western Canadian interests. We were surprised that the petroleum products institute was in favour of the creation of the petroleum monitoring agency, because they too are totally fed up with having to justify price increases every six months, year in and year out.

How then today could we not adopt a motion relating to the creation of that very monitoring agency? It is important, because this agency is needed in the immediate future in order to ensure there is no sudden price fluctuation, which would have a very negative impact on the economy. In an economy such as ours, where trade is so important and there are more and more international exchanges, it is very important for gas prices not to reduce the efficiency of our

Private Members' Business

economy. There can be major consequences; we need think only of the airlines and the trucking industries.

At present, the Government of Canada has more or less washed its hands of the situation. They tell us gas price data can be obtained from the private sector and that there is the Department of Energy, which does analyses, but there is insufficient transparency. The intent of this motion is to ensure that there is in fact transparency and that the committee can make recommendations to the House of Commons so that the appropriate changes may be made.

There is a major problem. Earlier the government member told us that the Competition Commissioner had said the problem is due to low inventories of gasoline in North America. This is the tip of the iceberg. Why are inventories low in North America? Because in recent years, refinery capacities have shrunk considerably. When a person has a well and a set of one or more strictly controlled taps, it is easy to set the pump price. Profits increase at the refinery stage and are out of step with the market, according to the way it should work. So, this situation needs to be analyzed and solutions found.

The G-7 release also refers to it. North American refining capacity must be increased. At the moment it is operating at the bare minimum. Whenever a refinery in Canada or the United States is experiencing difficulties, even technical ones, the price can go up. No market should be in this situation. In a typical capitalist market, some people perform better, businesses disappear and others appear. There are always people to meet the demand. In the current system, in terms of gasoline prices, refining capacity was reduced considerably. Now this gives those controlling the refining market a powerful hold. It has a negative effect on the whole economy.

Now that the G-7, the largest representation of politicians representing the largest economies in the world, wants this situation to be addressed, why does Canada not take a leadership role in all this? Why not set up this petroleum monitoring agency, not to control prices, but to collect and distribute, during a three-year mandate, data on the price of crude oil, refined petroleum products, and retail gasoline in all North American markets?

● (1845)

The director should be appointed by the federal government upon consultation with the oil industry, individuals and consumer groups. An annual report should also be prepared on the competitive aspects and there should be a parliamentary review of the report by the committee for the duration of the three-year mandate. We are not creating an eternal bureaucracy. We want this to be in place for the next few years in order to determine what steps to take to correct the situation.

Private Members' Business

The second part of the motion refers to the fact that the Competition Act is currently lacking teeth. The committee made recommendations to amend the legislation. The government kept only the sections regarding fines. It is positive, but a major portion was set aside and there is no solution.

The government may not want to do anything about the Competition Act, but it should at least agree to set up the petroleum monitoring agency. I think the two tools are important in ensuring better management of this market. It is not a matter of controlling prices, but of structuring the market in a way to prevent the current situation from happening again.

In addition to the overall economic impact, there is the personal, humanitarian impact. Renters are seeing heating oil prices increase dramatically. These are often people who need every penny and have not planned for such increases in their monthly budgets. There is no relief program in Canada to offset this reality.

The United States created a relief program to ensure that energy prices correspond to reality and, on the other hand, that a specific program creates a balance. There is no such program in Canada. There should be. Representatives of the energy industry, who appeared before the Standing Committee on Industry, Sciences and Technology, made this recommendation. It suggests not manipulating the rules governing energy prices, but rather ensuring that low-income earners can make ends meet. Ultimately, when these people can pay their bills, their money drives the economy. So I think that this is an appropriate initiative.

So I invite the members of the House to re-read the text of the motion itself. We must not simply argue about whether we are moving toward price control. We are not talking about that or trying to find a way to circumvent the issue. That is why I am asking the members of the House to vote in favour of the motion. This recommendation was made by the Standing Committee on Industry, Sciences and Technology and is now consistent with a desire by the G-7 countries to better monitor energy prices so as to minimize sudden economic change. That is what the Bloc Québécois is asking this House to do.

• (1850)

[English]

Hon. Jerry Pickard (Parliamentary Secretary to the Minister of Industry, Lib.): Mr. Speaker, I welcome this opportunity to address Motion No. 165 now before the House. It contains two distinct proposals. One concerns the establishment of a petroleum monitoring agency and the other concerns unspecified amendments to the Competition Act. I will address each proposal in turn.

The first proposal is not novel in any way. As everyone in this place recalls, the petroleum industry has been monitored many times over the last several years and we have found through that monitoring that there are high and low fluctuations.

Following studies of the gasoline price increases during the winter of 2003, the Standing Committee on Industry, Science and Technology recommended the establishment of a petroleum monitoring agency to be responsible for the collection and dissemination of data on gasoline pricing.

The committee's report found that significant increases in prices had been as "the result of competitive reactions to a series of international crises and abnormally cold weather that gripped northeast North America last winter". Furthermore, the report also found no evidence that prices were being fixed or that market participants were engaging in any anti-competitive business practices.

The purpose of this report and the committee's recommendation was to increase the awareness of consumers regarding the dynamics of gasoline pricing and the competitive nature of Canada's petroleum industry. Members on this side of the House would agree that it is important to make information about the setting of gasoline prices widely available to the public.

However, we do not believe that an independent petroleum monitoring agency is necessary to accomplish this objective. Establishing a government agency charged with monitoring gasoline pricing may create a perception that the federal government is regulating gasoline prices. Retail price regulation is by and large the jurisdiction of provincial governments.

Also, current government activities, coupled with the data on gasoline prices collected and disseminated by the private sector and provincial governments, represent the most practical and cost effective means of raising consumer awareness about the competitive nature of Canada's gasoline industry.

Moreover, the Competition Bureau already exists to promote and maintain fair competition in all sectors of the economy, including the petroleum industry, by educating businesses and consumers, promoting compliance with the Competition Act and taking enforcement action when necessary.

In the past 15 years, the Competition Bureau has conducted five major investigations into allegations of collusion in the gasoline industry. The most recent one concluded in March of this year. Each time it found no evidence to suggest that a rapid rise in retail gasoline prices resulted from a national conspiracy to fix prices.

Establishing a gasoline monitoring agency will not do anything to further the objective of inspiring public confidence in Canada's competition framework.

That being said, we think this Parliament can do more for consumers than simply create a petroleum monitoring agency. That is why in November 2004 we tabled Bill C-19, an act to amend the Competition Act in Canada.

This bill represents a necessary step in strengthening Canada's competition framework so that it can adapt and respond to the rapid pace of economic change in the 21st century. By strengthening Canada's Competition Act, we can ensure that consumers have confidence not only in the competitiveness of the petroleum industry but in all sectors of the economy.

Private Members' Business

Bill C-19 follows extensive consultations with the public, including large and small businesses, consumer advocacy groups and legal and economic experts. The proposed legislation would provide concrete measures to address their concerns. Bill C-19 would give the Commissioner of Competition the authority to seek restitution for losses of consumers resulting from false or misleading advertising.

It also would increase the level of administrative monetary penalties imposed for deceptive marketing practices and introduce administrative monetary penalties to address the abuse of dominance in any industry, including all sectors of the petroleum industry.

This legislation would repeal the criminal pricing provisions dealing with price discrimination, geographic price discrimination, predatory pricing and promotional allowances. These pricing behaviours would be addressed under the abuse of dominance provision with the administrative monetary penalties.

• (1855)

The bill would also return the Competition Act to a law of general application by repealing the airline specific provisions of the act which were adopted in response to Air Canada's merger with Canadian Airlines. These measures are necessary to ensure that as an economy grows and evolves the Competition Bureau has the necessary tools and remedies at its disposal to effectively address the anti-competitive business conduct of industries and markets, and to encourage compliance with the Competition Act.

The motion before us proposes the government bring forward amendments to strengthen the Competition Act. As described, we have taken concrete steps to do exactly that. The motion proposes measures to ensure that the competition commissioner has the power to launch investigations, summon witnesses and ensure confidentiality.

We believe that the motion is proposing that the commissioner of competition be granted additional authority to conduct inquiries into the competitive nature of the market sectors where there is no reason to believe that the Competition Act has been breached.

While some of the stakeholders support allowing these types of general or market inquiries in recent national consultations, many raise serious concerns regarding these proposals, such as the types of procedures that would be used, the length of time they would take and how much they would cost.

The Competition Bureau is carefully examining the concerns raised by stakeholders regarding these market inquiries. Similar initiatives have found some support in jurisdictions, such as the United States, the United Kingdom, among others. The Competition Bureau is looking into the approaches taken by these countries to determine if these types of inquiries should be incorporated into our competition framework, while addressing the concerns of Canadian stakeholders.

We urge the members of this House to allow the Competition Bureau to complete its work on the issue so that we can ensure all proposed amendments to the Competition Act are carefully considered and well measured.

All factors taken into account, there is no evidence that a petroleum monitoring agency is needed or even desirable.

Furthermore, as the motion does not address the serious issues, such as jurisdiction of the provinces over gasoline pricing, and as we have already tabled Bill C-19, I urge all members of the House not to support the bill.

[*Translation*]

Mr. Marc Boulianne (Mégantic—L'Érable, BQ): Mr. Speaker, it is with great interest that I speak in support of my colleague's motion calling on the government to take action.

Mr. Speaker, you called out the name of my riding, Mégantic—L'Érable. Érable is French for maple. Well, this bill seeks to protect maple syrup producers. The increased prices have had a major impact on their industry.

Many sugar bush owners in my riding use petroleum products for heating and preparing their maple products. If prices are not monitored, then we are looking at monumental bankruptcies in the future. The higher prices affect these people directly. We must defend their interests. They deserve it.

The same is true in other sectors, such as agriculture. Again it is the farmers—

The Acting Speaker (Mr. Marcel Proulx): The hon. member for Abitibi—Baie-James—Nunavik—Eeyou, who proposed the motion, has five minutes to end the debate.

• (1900)

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I would like to thank my colleagues on both sides of this House for the quality of their debates on this motion which I have the honour to sponsor.

I did, however, have an opportunity to hear a few inaccuracies, and I feel it is important to react to that so that my colleagues across the way and next to us here can be fully informed before they vote.

For example, an honourable colleague from the Conservative party suggested on February 11 that the price of gas, before taxes, had gone up 50%, while there had been a 67% hike in the taxes. Nothing could be further from the truth, as in fact the portion of the gas price that is tax has gone up from 32¢ to 37¢ a litre between February 1999 and February 2005, which is 15%. On the other hand, the price before taxes went from 14¢ in February 1999 to 45¢ in 2005, which is not far off 325%.

Can you imagine that a company like Petro-Canada, once purchased at a high price by Canadians in order to control the market price, took the liberty of increasing its profits between 1998 and 2004 by 3,857%? Profits were \$1.89 billion in 2004 compared to \$49 million in 1998.

If we consider that a 10¢ hike in gas prices slows down the economy by 0.5%, imagine how much harm that company, which at that time was still government-owned, did to the Canadian economy?

Adjournment Proceedings

In addition to that, I would point out that the 5¢ increase in taxes is not due to an increased tax rate but to the increase in gas prices before taxes, since the tax rate is fixed but is calculated on a higher amount.

Still on the subject of taxes, I must also point out that, in February 1995, this government inaugurated a 1.5¢ per litre surtax to help defeat the deficit. That deficit was eliminated in 1998 but the surtax is still in place. What is this government, which has surpluses up to its eyeballs, waiting for before it abolishes that pointless and costly tax?

This same colleague from the Conservative Party also stated, and I quote, “the regulation of gasoline prices in Canada can be done at the provincial level” and that “provincial governments are free to regulate gasoline prices”. Nothing, in fact, could be further from the truth, because the component of gasoline prices under provincial jurisdiction is the retailers' profit margin. This provincial jurisdiction has an impact only after the petroleum has been refined and after market speculation on the Nymex. The causes of fluctuations on the Nymex, however, are a matter of federal jurisdiction. Currently, there is no federal agency or other body overseeing the causes of fluctuations in the prices of petroleum products.

The member for Ottawa South cited the 2003 report of the Standing Committee on Industry, Science and Technology, according to which the current “Competition Bureau [had] sufficient powers, personnel and resources devoted to overseeing competitive aspects of the petroleum industry”

The Competition Commissioner, Mr. von Finckenstein himself, before this same committee on May 5, 2003, pointed to gaps in the current Competition Act, including the lack of investigative authority if he were to do an industry study and the inability to summon witnesses and ensure their confidentiality. I think we must listen to the Competition Commissioner, because he is saying himself that he lacks the power to conduct real studies.

I think that it is also time to put an end to the various myths circulated by the oil companies. It is not the cold temperatures that cause refinery margins to rise, nor is it taxes, nor the situation in the Middle East. These increases have more to do with refining capacity not being adequate for the demand. Some claim that it was limited on purpose in order to raise prices.

That is why it is high time for an independent study, so the public can see the whole question. A monitoring agency would be designed for this purpose and permit better oversight of the industry, which generates profits on the backs of consumers.

In the name of all Canadians, I call on my parliamentary colleagues to support—

The Acting Speaker (Mr. Marcel Proulx): I regret to interrupt the member, but it being 7:04 p.m., the time provided for debate has now expired.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Marcel Proulx): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Marcel Proulx): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Marcel Proulx): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Marcel Proulx): Pursuant to Standing Order 93, the division stands deferred until Wednesday, April 20, 2005, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

• (1905)

[*English*]

NATURAL RESOURCES

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I want to return to a question that I raised in the House on February 4 regarding the Devils Lake diversion in North Dakota which is going to be drained into Manitoba. This is a big international issue which requires involvement and leadership from the Government of Canada. I would like to bring the House up to date on what is happening.

Currently the Devils Lake diversion is in the North Dakota supreme court. The hearings started yesterday. I was glad to see that Justice Carol Kapsner, one of the four members of the supreme court of North Dakota started to take a hard look at this. The judge wondered why this project was not a U.S. federal project where there would be better controls than a state project with no controls on environmental issues.

A suit has been brought forward by the governments of Manitoba and Minnesota. It also includes the People To Save The Sheyenne and the Peterson Coulee Outlet Association. They have hired Bill Delmore as the lead counsel on their case to make their arguments.

Adjournment Proceedings

They are claiming that there is a significant difference in the quality of the water in Devils Lake which is going to be drained into the Sheyenne which then enters the Red River, which then flows north into Manitoba and goes into Lake Winnipeg. Parts of the Red River and Lake Winnipeg are in my riding. That lake supports a large commercial fishery and a sports fishery. It has many beautiful beaches. It supports a very viable tourism industry. It is also the main aquifer recharge zone for Manitoba. It is important that we keep this watershed healthy. Now we are talking about interbasin transfers of water.

What they are saying in the argument brought forward yesterday and today is that there are at least two different parasites, or biota, in the water in Devils Lake versus what is normally in the watershed in the Red River Basin. The big issue is that there are at least three times the levels of harmful pollutants in Devils Lake. That is why it is called Devils Lake. It is a bad lake and it has some issues.

We want to make sure that the government is being a full participant in this issue. The government of Manitoba, to its credit, has fought very strongly and has been a great adversary for protecting the Red River Basin and making sure that the waters in Manitoba are protected. However, this is a federal responsibility. We are talking about the environment. We are talking about the Department of Fisheries and Oceans which has a very significant lead role to play in this issue rather than to just sit back and watch what the province is doing in collaboration with the state of Minnesota and other organizations.

We have between the U.S. and Canada the International Joint Commission on the international water treaty which goes back to early 1900s. If we do not take a very aggressive and proactive role, I fear that the whole International Joint Commission will fall apart. This water treaty and many other treaties between the two countries would become null and void because it is not doing its job and not functioning or working—

• (1910)

The Acting Speaker (Mr. Marcel Proulx): The hon. Parliamentary Secretary to the Minister of Natural Resources.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, I am pleased to have this opportunity to outline some of the significant efforts that the government is making on this issue and to respond to the hon. member's concerns about the Devils Lake outlet project and its potential impact on water quality in Manitoba. The member did a good job in outlining this issue.

The issue is not whether or not the government will conduct its own review of the potential impact of the Devils Lake diversion on water quality in Manitoba.

The facts are that the government has been very clear in voicing its concerns that the Devils Lake outlet could transfer invasive species and poor water quality into Manitoba. We have worked very closely with Manitoba in opposing the North Dakota water diversions with potential impact on waters in Manitoba.

We have made sure that the United States and North Dakota governments are fully aware of these concerns. On this point there is no question. The government is very concerned that North Dakota

has nearly completed the Devils Lake outlet without any federal oversight, environmental assessment or safeguards against invasive species or water pollution.

The real question is, what is the government doing about the Devils Lake project? I can assure the member that the government is seized of this matter and is vigorously pursuing constructive solutions.

Under the boundary waters treaty, Canada and the United States have obligations not to pollute shared lakes and rivers in a manner that injures health or property in the other country. Our government and the government of the United States both agree that the diversion of waters from Devils Lake into the Red River Basin must be done in a manner consistent with the obligations under the boundary waters treaty.

The government considers the boundary waters treaty to be fundamental to managing and protecting boundary and transboundary waters. This is why our government, with the support of Manitoba, has vigorously pursued the United States government to agree to a reference under the boundary waters treaty on Devils Lake.

A Devils Lake reference would authorize the International Joint Commission to undertake an independent scientific analysis of the risks and potential environmental impact of the Devils Lake water diversion project.

A reference would enable the International Joint Commission to make recommendations to the governments in Canada and the United States on how best to ensure the protection of the waters of the Red River and Lake Winnipeg. This is the resolution we are seeking to the very important environmental issues concerning the Devils Lake project.

Mr. James Bezan: Mr. Speaker, while I appreciate the comments by the Parliamentary Secretary to the Minister of Natural Resources, I want to make sure that we do everything we can to protect the Red River and Lake Winnipeg, to protect our tourism, and to protect our fishery.

I would encourage the government to conduct its own study on the water quality issue to make sure that we have that knowledge base when we take this forward to the International Joint Commission, if we get a referral from the North Dakota supreme court. We need that referral. That is why I would like to have seen a larger role played in the North Dakota lawsuit that is going forward right now.

I want to get a commitment as to the government's game plan. Is it going to get some of its own research done? What is our recourse if this does not move ahead?

One thing we have to keep in mind is that the project is running ahead of schedule. It was estimated that the groundwork would be done in July but it will be done by mid-June. It is under budget and ahead of schedule. This is coming before us rapidly. We have to move before North Dakota starts pumping water into the Red River Basin.

Adjournment Proceedings

•(1915)

Hon. Larry Bagnell: Mr. Speaker, as I said earlier, a scientific study will be done by the International Joint Commission. We can get our reference through it. It is very important to us. We have been fighting for that reference.

The Minister of Foreign Affairs raised the issue of Devils Lake in discussions with U.S. Secretary of State Condoleezza Rice. I can assure the hon. member that we are working together. Our officials will continue to raise our concerns with the Devils Lake project at every opportunity. We will continue to work at every level to press the U.S. government to agree to a reference to the International Joint Commission.

I am in full agreement with the hon. member. We want to ensure that Manitoba waters are protected and that fishing, recreation and economic activities in areas such as Lake Winnipeg are not impaired by Devils Lake. This is why we are actively pursuing a reference to the International Joint Commission as a resolution to this issue. The Prime Minister has raised this issue with the President of the United States.

NATIONAL REVENUE

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, we in the official opposition take very seriously the concerns of the disabled in this country. For persons with disabilities, normal activities bring extraordinary cost not by choice of the disabled.

On behalf of disabled Canadians and the additional challenges they face on a day to day basis, I rise again to ask the Minister of National Revenue why his department continues to harass the disabled and their families by forcing them to remit payroll deductions on tax-free government grants?

When I presented this question to the minister on February 23, he responded that the issue in terms of tax collection is that the law has to be obeyed.

Obviously, as a self-styled former economist-banker, the minister fails to comprehend that it is the tax laws that are the problem. Currently there are no measures in place to protect disabled people or their parents from being potentially ruled as employers by the Canada Revenue Agency.

When determining if an employer-employee relationship exists, CRA bases its decision on the results of several tests that are applied to all cases. The problem is that these tests do not recognize the special circumstances involved when disabled people have a professional caregiver come over to their home to assist in their care. This flaw in the system has resulted in disabled individuals and the families of disabled children receiving grants for the purpose of assistance with the care of their disabled children being deemed employers by the CRA.

Families are being forced to make payroll remittance payments out of their own pockets and are being burdened with the responsibilities of an employer at a time when their number one concern should be the care and development of their disabled child.

The government's 2005 budget states that a fair tax system evolves over time to reflect changes in the economy and society.

I call on the Minister of National Revenue to recognize that the time has come for his department to evolve on this issue. I refer the minister to his government's own report entitled "Advancing the Inclusion of Persons with Disabilities". It found that while 80% of Canadians believe there has been some progress in including people with disabilities in Canadian society over the past decade, only one in ten believe these individuals are fully included today.

Why does the CRA continue to enforce hard and fast rules when dealing with the disabled and their families?

I draw to the minister's attention recent decisions by the Federal Court of Appeal and the Tax Court of Canada that give the disabled and their families new hope. In the precedent setting Poulin case, a disabled Quebec man won his case against Revenue Canada when the Federal Court of Appeal ruled that he was not an employer.

The court ruled that it is the intention of the parties that should be considered when determining the relationship between them as their perception of the relationship may be linked to the compassionate motive of the services rendered to the disabled individual. In this case the caregivers considered themselves to be self-employed and the disabled man never intended to act as an employer.

Disabled Canadians and their families should not be forced to fight for years in tax court to avoid CRA harassment when they receive a grant to allow for full participation as active members in society, rather than being institutionalized. It is time the minister and the government acted to remove the department's imposed barriers to societal inclusion and stop this attack on the disabled and their families.

•(1920)

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):

Mr. Speaker, I thank the member for raising this important issue. The government is very sensitive to the concerns of families caring for persons with disabilities. Many Canadian families face additional costs related to the care of a dependant relative such as an elderly parent or an adult child with a disability.

In budget 2004, the government modified the income tax rolls to allow caregivers to claim up to \$5,000 of the medical and disability related expenses they incur on behalf of their dependant relative. Building on that measure, in budget 2005 we proposed that the maximum amount of medical and disability related expenses that can be claimed by caregivers be doubled to \$10,000 from \$5,000, beginning with the 2005 taxation year. This measure alone is estimated to increase tax assistance by \$15 million in 2005 and 2006, growing to \$20 million by 2009-10.

This measure represents but the first step in the government's broadly based commitment to increasing support for caregivers. The government is working with the provinces and territories to develop a comprehensive caregiver strategy involving a range of different supports for spouses, for children, for close relatives, for friends who care for seniors and for persons with disabilities.

One of the Canada Revenue Agency's responsibilities is to rule on whether or not an employer-employee relationship exists that would qualify workers for benefits under legislation such as the Employment Insurance Act or the Canada Pension Plan. These benefits include such things as job security during maternity leave, employment insurance benefits if they lose a job or disability payments if they are unable to work.

Anyone who is an employer must remit EI premiums and CPP contributions based on the insurable and pensionable earnings of the employee. We can understand why the administrative and financial responsibilities involved with employer status might be of concern to a family with limited resources relying on a grant to engage a caregiver, but that cannot justify denying hard-working employees the benefits of Canada's EI and CPP programs to which they are entitled in law.

When a ruling is required on the employment status of a worker, the Canada Revenue Agency applies the common law principles established by the courts to reach such a determination. The ruling on employment status can be appealed and is subject to an independent review within the agency. If the ruling is confirmed, it can be appealed further to the Tax Court of Canada.

In conclusion, let me say that I think it is important to highlight the remarkable work done by the Minister of National Revenue with respect to this issue. I have had the chance to get to know the Minister of National Revenue as a colleague. In fact, we sat together on the other side of the House when we were elected in 2000. He is a man of great compassion. He is very sensitive to these important issues. He is making enormous efforts to sensitize his department and the employees to the very important needs of these caregivers.

After all, these people are looking after some of the most vulnerable people in society. They need the government to be sensitive to their needs. Many of these people, including those in my own constituency, are not wealthy people, and the Canada Revenue Agency needs to continue to do what it can to make policies and apply the legislation in a way that is sensitive to the special needs of these people while at the same time respecting the application of the law.

Mrs. Cheryl Gallant: Mr. Speaker, the Liberal government's actions speak louder than words. While its report may state that access to needed disability supports is the key in allowing the disabled to form foundations for full participation in the community, the reality is that the national revenue department is acting to harass families in receipt of grants for the specific purpose of giving their loved ones the disability support they require.

As society evolves, so too must the policy that governs it. While in the past the trend was to institutionalize the disabled, society now recognizes that, where possible, the home is the best environment. The current policy used by the CRA to determine the relationship between a disabled person and his or her caregiver is outdated and

Adjournment Proceedings

useless. The minister must act now to modernize the CRA's policy and protect disabled persons.

• (1925)

The Acting Speaker (Mr. Marcel Proulx): The hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

[*Translation*]

Hon. Dominic LeBlanc: Mr. Speaker, as I said a few minutes ago, the government is clearly committed to meeting the needs of the handicapped. In the 2005 budget, my colleague, the Minister of Finance, has announced the government's response to the recommendations of the technical advisory committee on tax measures for persons with disabilities. Combined, the various measures in the 2005 budget will increase tax relief for persons with disabilities by \$105 million in 2005-06, growing to \$120 million in 2009-10.

It is important to note, as I mentioned earlier, the remarkable work of the Minister of National Revenue. This is a man of great compassion, who has a deep awareness of these issues. He is committed, along with his staff, who are doing a remarkable job, and he understands the importance of enforcing the legislation and protecting Canadians in need. I can—

The Acting Speaker (Mr. Marcel Proulx): The member for Lotbinière—Chutes-de-la-Chaudière.

OFFICIAL LANGUAGES

Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ): Mr. Speaker, I am pleased to rise today to try to obtain a further response to the question I put on February 25. I had asked the question in response to a reaction by the Fédération des communautés francophones et acadienne du Canada.

The federation was very disappointed to discover no additional amount for the development of francophone and Acadian communities in the budget announced by the Minister of Finance. In my work on the Standing Committee on Official Languages, we had the pleasure of welcoming Georges Arcs, president of the federation. Even then, he warned the federal government that money should be increased so services could be provided to all the communities outside Quebec.

All we learned since then, in response to questions put in the House and a number of interventions on the official languages committee, is that the Minister of Canadian Heritage announced on April 12 that a protocol had been signed with all the partners, all the provinces, but no time frame was mentioned. A lot of money was mentioned, but that is the way it always is.

What I find deplorable as well is that each time this government announces large amounts of money, there are always signing problems and difficulty meeting the timeframes set—as in the agreement on education. They said it would be signed on March 31. It had to wait until April 12. The minister may have wanted to bring us a little news when she met with the official languages committee.

Adjournment Proceedings

All of this to say that the government appears to be having difficulty getting this famous official languages plan started, integrating decisions and obtaining specific results.

I asked whether the federal government would give additional amounts over and above the figures that appeared in the budget. At that point, the minister responsible answered that the amount of \$750 million announced very publicly by the then minister responsible for official languages, now the Minister of the Environment, would be maintained. And yet we are still not seeing where the money is going.

I would like to know this evening whether the federal government really intends to make new investments for the development of francophone and Acadian communities?

• (1930)

Hon. Raymond Simard (Parliamentary Secretary to the Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, I thank the hon. member opposite for his question. Some people, including the Commissioner of Official Languages, wonder about the ability of the Government of Canada to keep the promises it made in the Action Plan for Official Languages announced on March 12, 2003.

As the Minister responsible for Official Languages already made clear to this House, we are still determined to implement the action plan in its entirety and to achieve the ambitious objectives we have set.

Allow me to refer to this section of the Speech from the Throne of October 5, 2004.

What makes our communities work is our deep commitment to human rights and mutual respect. The Government is committed to these values. It is implementing the Official Languages Action Plan and will continue to promote the vitality of official language minority communities.

The \$751 million announced when the action plan was made public two years ago was fully maintained in the last budget. As planned from the start, these investments will increase from year to year until 2007-08.

The mid-point report will be an opportunity to spotlight key accomplishments by the departments concerned by the action plan. For example, in the health sector, the Société santé en français created 17 community health networks throughout the country, thereby contributing to improving services to francophone minority communities. In fact, according to what departmental officials told us just recently in the official languages committee, \$108 million of the \$119 million earmarked for health was already committed.

In the field of immigration, the steering committee made public on March 30 a summary of initiatives, 2002-2006, to foster immigration to francophone minority communities, entitled, "Towards Building a Canadian Francophonie of Tomorrow".

As for justice, a pilot project has been set up for the training of bilingual crown prosecutors for Ontario and other provinces, and as well there is an English version of the Quebec Civil Code. What is more, last week the Minister of Canadian Heritage announced that the Government of Canada and CMEC had reached agreement on the essential parameters for the next protocol on minority-language

education and second-language instruction. These long-awaited agreements on education are now settled.

Another initiative is forthcoming that will also benefit official language minority communities. In March, the Minister responsible for Official Languages and his colleague, the Minister of State responsible for Human Resources Development, announced \$12 million per year over three years for the enabling fund to support the economic development partnership initiative for official language minority communities, known as the RDÉE or Réseau de développement économique et d'employabilité.

Not only will this progress report let parliamentarians, minority communities and all Canadians know what projects have been carried out to implement the action plan, it will also allow us to make any necessary adjustments.

I am sure that this report, which we will be releasing this fall, will show that the government is far from losing its head of steam as far as its official languages action plan is concerned. On the contrary, we are on the right track to fulfilling our commitments and achieving the ambitious objectives we have set for ourselves.

Mr. Odina Desrochers: Mr. Speaker, I am nevertheless baffled by the series of figures my colleague opposite has just provided. I was unable to tell if, in actual fact, there were any new investments for the development of francophone and Acadian communities, as president Georges Arès had asked.

I know that my colleague opposite must defend his government, and once again, he has listed all the well-meaning wishes that will improve everything. I did not get the response that the francophone and Acadian communities are waiting for, not at all.

I am asking him, then, out of all the figures he has quoted, to identify one that provides an answer for these people.

Adjournment Proceedings

Hon. Raymond Simard: Mr. Speaker, I believe my colleague opposite is referring to the Canada-communities agreements, something I am quite involved in. This is something I am interested in and passionate about. I am in contact with the FCFA president and his counterparts in Manitoba almost daily.

I am very aware of the minority community demands. I am also aware of the increases they are looking for. You can be sure, and my colleague will certainly confirm it, that I am an ardent supporter of these communities.

I am told negotiations are going well. The Minister of Canadian Heritage indicated again the other day in Manitoba that negotiations with the communities were moving along quite well and I am confident this will be resolved shortly.

● (1935)

The Acting Speaker (Mr. Marcel Proulx): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:35 p.m.)

CONTENTS

Tuesday, April 19, 2005

Privilege

Comments by hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup

Mr. Crête 5245

ROUTINE PROCEEDINGS

Canada's International Policy

Mr. Pettigrew 5245

Government Response to Petitions

Mr. LeBlanc 5245

Committees of the House

Agriculture and Agri-Food

Mr. Steckle 5245

Status of Women

Ms. Neville 5245

State Immunity Act

Mr. Day 5246

Bill C-367. Introduction and first reading 5246

(Motions deemed adopted, bill read the first time and printed) 5246

Committees of the House

Health

Mr. Merrifield 5246

Motion for concurrence 5246

Mr. Thibault (West Nova) 5247

Mr. Gouk 5248

Mr. Carrie 5248

Mr. Merrifield 5249

Ms. Demers 5250

Mr. Szabo 5250

Mr. Lunney 5252

Ms. Demers 5253

Mr. Thibault (West Nova) 5253

Mr. Ménard (Hochelaga) 5254

Mr. Szabo 5256

Ms. Davies 5257

Ms. Crowder 5257

GOVERNMENT ORDERS

Ways and Means

veterans affairs

Motion for concurrence 5259

(Motion agreed to) 5259

ROUTINE PROCEEDINGS

Committees of the House

Health

Motion for concurrence 5259

Mr. Szabo 5259

Ms. Crowder 5260

Mr. Comartin 5260

Ms. Davies 5260

Mrs. Yelich 5261

Ms. Crowder 5262

Mr. Thibault (West Nova) 5262

Mr. Szabo 5264

Mr. Fletcher 5264

Mrs. Ablonczy 5265

Mr. Szabo 5266

Mr. Lunney 5266

Ms. Demers 5268

Mr. Szabo 5268

Mrs. Smith (Kildonan—St. Paul) 5268

Mr. Carrie 5268

Mr. Cullen (Etobicoke North) 5269

(Motion agreed to) 5270

Petitions

Diabetes

Mr. Harris 5270

Marriage

Mr. Harris 5270

Mr. Stinson 5270

Mr. Cullen (Etobicoke North) 5270

Health

Mrs. Yelich 5270

Marriage

Mrs. Yelich 5270

Mr. Duncan 5270

Natural Health Products

Mr. Carrie 5270

Mr. Lunney 5270

Marriage

Mr. Lunney 5270

Fisheries

Mr. Cummins 5270

Marriage

Mr. Menzies 5271

Mr. Szabo 5271

Questions on the Order Paper

Mrs. Jennings 5271

Questions Passed as Orders for Returns

Mrs. Jennings 5271

GOVERNMENT ORDERS

Canada Grain Act

(Motion agreed to, bill read the second time and referred to a committee) 5271

Civil Marriage Act

Bill C-38. Second reading 5271

Mr. Macklin 5271

Mr. Macklin 5272

Motion 5272

Ms. Stronach	5273
Mr. Toews	5273
Mr. Poilievre	5275

STATEMENTS BY MEMBERS

Brain Tumours

Mr. Savage	5276
------------------	------

Child Care

Mrs. Skelton	5276
--------------------	------

Pope John Paul II

Mrs. Chamberlain	5276
------------------------	------

Pope Benedict XVI

Ms. Bourgeois	5277
---------------------	------

Thérèse Casgrain Awards

Mr. Wrzesnewskyj	5277
------------------------	------

Canadian Guernsey Association

Mr. Moore (Fundy Royal)	5277
-------------------------------	------

Volunteerism

Ms. Augustine (Etobicoke—Lakeshore)	5277
-------------------------------------------	------

Parrainage civique des Bois-Francis

Mr. Bellavance	5277
----------------------	------

Poland

Ms. Bulte	5278
-----------------	------

Justice

Mr. Moore (Port Moody—Westwood—Port Coquitlam)	5278
------------------------------------------------------	------

Immigration

Ms. Dhalla	5278
------------------	------

China

Mr. Blaikie	5278
-------------------	------

Conservative Party

Mr. Kenney	5278
------------------	------

Prime Minister

Ms. Picard	5279
------------------	------

Pope Benedict XVI

Mr. Nicholson	5279
---------------------	------

Canada's International Policy Statement

Presence in Gallery

The Speaker	5279
-------------------	------

ORAL QUESTION PERIOD

Government Contracts

Mr. Harper	5279
Ms. McLellan	5279
Mr. Harper	5280
Mr. Goodale	5280
Mr. Harper	5280
Mr. Goodale	5280
Mr. Harper	5280
Mr. Goodale	5280
Mr. MacKay	5280
Mr. Goodale	5280

Mr. Duceppe	5280
Mr. Goodale	5281
Mr. Duceppe	5281
Mr. Goodale	5281
Mr. Sauvageau	5281
Mr. Goodale	5281
Mr. Sauvageau	5281
Mr. Goodale	5281

Democratic Reform

Mr. Layton	5281
Mr. Valeri	5281
Mr. Layton	5281

Government Contracts

Mrs. Ablonczy	5282
Mr. Goodale	5282
Mrs. Ablonczy	5282
Mr. Goodale	5282

Sponsorship Program

Mr. Moore (Port Moody—Westwood—Port Coquitlam)	5282
Ms. McLellan	5282
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	5282
Ms. McLellan	5282
Mr. Gauthier	5282
Mr. Goodale	5283
Mr. Gauthier	5283
Mr. Goodale	5283
Mr. Guimond	5283
Mr. Brison	5283
Mr. Guimond	5283
Mr. Brison	5283
Mr. Watson	5283
Ms. McLellan	5283
Mr. Watson	5283
Mr. Brison	5283
Mr. Kenney	5284
Mr. Brison	5284
Mr. Kenney	5284
Mr. Brison	5284

Immigration

Mr. Boshcoff	5284
Mr. Volpe	5284

International Cooperation

Ms. McDonough	5284
Ms. Carroll	5285
Ms. McDonough	5285
Ms. Carroll	5285

Government Contracts

Mr. Solberg	5285
Mr. Goodale	5285
Mr. Solberg	5285
Mr. Goodale	5285

Natural Resources

Mr. Keddy	5285
Mr. Valeri	5285
Mr. Hearn	5285

Mr. Goodale	5286	Mr. Fitzpatrick	5302
Foreign Affairs		Mr. Tweed	5303
Ms. Lalonde	5286	Mrs. Yelich	5305
Mr. Pettigrew	5286	Mr. Schmidt	5306
International Cooperation		Supply	
Ms. Bourgeois	5286	Opposition motion—Sponsorship Program	
Ms. Carroll	5286	Motion	5306
Terrorism		Motion agreed to	5307
Mr. Day	5286		
Mr. Cotler	5286	PRIVATE MEMBERS' BUSINESS	
Mr. Day	5286	Gasoline Prices	
Ms. McLellan	5286	Motion	5308
Public Works and Government Services		Mr. Bouchard	5308
Mr. St. Amand	5287	Mr. Cullen (Etobicoke North)	5308
Mr. Brison	5287	Mr. Jean	5310
Presence in Gallery		Mr. Julian	5311
The Speaker	5287	Mr. Crête	5312
		Mr. Pickard	5314
		Mr. Boulianne	5315
		Mr. Lévesque	5315
		Division on motion deferred	5316
		ADJOURNMENT PROCEEDINGS	
GOVERNMENT ORDERS		Natural Resources	
Civil Marriage Act		Mr. Bezan	5316
Bill C-38. Second reading	5287	Mr. Bagnell	5317
Mr. Prentice	5287	National Revenue	
Mr. Szabo	5288	Mrs. Gallant	5318
Mr. Cummins	5289	Mr. LeBlanc	5318
Mrs. Hinton	5291	Official Languages	
Mr. Schellenberger	5292	Mr. Desrochers	5319
Mr. Warawa	5294	Mr. Simard (Saint Boniface)	5320
Mr. Komarnicki	5295		
Mr. Vellacott	5297		
Mr. Epp	5298		
Mr. Nicholson	5299		
Mr. Merrifield	5301		

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:
Publishing and Depository Services
PWGSC, Ottawa, ON K1A 0S5
Internet: <http://publications.gc.ca>
1-800-635-7943 or Local 613-941-5995

*En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :*
Les Éditions et Services de dépôt
TPSGC, Ottawa (Ontario) K1A 0S5
Internet: <http://publications.gc.ca>
1-800-635-7943 ou appel local (613) 941-5995

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

Also available on the Parliamentary Internet Parlementaire at the following address:

**Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Additional copies may be obtained from Publishing and Depository Services, PWGSC, Ottawa, ON K1A 0S5

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.

On peut obtenir des copies supplémentaires en écrivant à : Les Éditions et Services de dépôt, TPSGC, Ottawa (Ontario) K1A 0S5

**On peut obtenir la version française de cette publication en écrivant à : Les Éditions et Services de dépôt
TPSGC, Ottawa (Ontario) K1A 0S5**