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(HANSARD)

Monday, January 28, 2008

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, January 28, 2008

The House met at 11 a.m.

Prayers

● (1015)

[*Translation*]

VACANCY

WESTMOUNT—VILLE-MARIE

The Speaker: It is my duty to inform the House that a vacancy has occurred in the representation, namely: Mrs. Lucienne Robillard, member for the electoral district of Westmount—Ville-Marie, by resignation effective January 25, 2008.

[*English*]

Pursuant to subsection 25(1)(a) of the Parliament of Canada Act, I have addressed my warrant to the Chief Electoral Officer for the issue of a writ for the election of a member to fill the vacancy.

* * *

● (1100)

[*Translation*]

MESSAGE FROM THE SENATE

The Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following public bill, to which the concurrence of the House is desired: Bill S-215, An Act to protect heritage lighthouses.

It being 11:03 a.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

Mr. Guy André (Berthier—Maskinongé, BQ) moved that Bill C-469, An Act to amend the Canadian Environmental Protection Act, 1999 (use of phosphorus), be read the second time and referred to a committee.

He said: Mr. Speaker, I rise with great pride today to introduce for second reading Bill C-469, an act to amend the Canadian Environmental Protection Act, to prohibit the manufacturing, sale or import in Canada of dishwashing or laundry detergents that contain phosphorus.

The Bloc Québécois introduced this bill because many of us, like the hon. member for Shefford, noticed how widespread cyanobacteria, also known as blue-green algae, had become last summer, and how serious a concern this was for the people of Quebec.

We know that blue-green algae pose a public health risk as potential irritants, allergens and toxins.

Besides this public health risk, the proliferation of cyanobacteria has a significant impact on the health and quality of lake water, not to mention the adverse effects on wildlife.

This is not a new issue, but the ongoing proliferation that has been observed over the past few years is a growing concern and calls for concerted action to put an end to this phenomenon.

Things have been getting worse: in Quebec, this phenomenon affected 50 lakes in 2005, 107 in 2006, and nearly 200 in 2007.

In the riding that I have the honour of representing, Berthier—Maskinongé, blue-green algae were found in five lakes and rivers in 2007. This is a major problem in our region and in many others in Quebec.

Quebec is not the only province whose lakes and rivers are deteriorating. Other Canadian provinces are facing this threat too. Blue-green algae have invaded waters in Ontario, Manitoba, Nova Scotia and even Alberta.

Blue-green algae blooms are happening for a reason. It is important to explain what causes these organisms to appear and multiply in our watersheds, our lakes and rivers, and in all of our water sources.

Excessive growth of cyanobacteria is due to an overabundance of nutrients in the environment. Of these nutrients, phosphorus has the greatest impact.

Phosphorus is a naturally occurring nutrient used by algae and aquatic plants, and blue-green algae blooms occur when the amount of phosphorus in a water system exceeds the ability of the system to absorb it. The presence of excess phosphorus is directly linked to human activity. We must therefore act to address this phenomenon.

Human activities that lead to surplus phosphorus in the water system include dumping untreated or inadequately treated water, agricultural activity, fertilizing lawns, using septic systems, recreation and tourism, and deforestation.

We know that dish and laundry detergents are made with phosphates, compounds that contain phosphorus and that, when present in excessive quantities, contribute to the development of blue-green algae and cyanobacteria.

● (1105)

While regulations have been in place for many years to limit phosphorus levels in laundry detergents, that is still not the case for dishwasher detergents and, more importantly, there is not a total ban.

Given this growing issue, it is important to remind this House that it is the Bloc Québécois that took the initiative. Indeed, in the spring of 2007, the Bloc Québécois critic on the environment and member for Rosemont—La Petite-Patrie, whom I want to thank for his excellent work regarding this issue, blamed the Minister of the Environment for not dealing with this issue quickly. My colleague rightly pointed out that Ottawa could simply amend its regulations, without passing legislation, and thus take action quickly to protect our bodies of water.

Since Ottawa is responsible for regulating imported products, we felt that cooperation between Ottawa, Quebec and the provinces was necessary to deal effectively with the issue of blue-green algae.

On June 12, 2007, given the government's lack of concern, and its own desire to fight against the spread of blue-green algae, the Bloc Québécois tabled a motion, that was adopted by the Standing Committee on Environment and Sustainable Development, recommending that the federal government phase out concentrations of phosphorous in dishwasher detergents and laundry detergents.

Like several environmental groups, we condemned the Conservatives' decision to oppose this motion, which proposed a measure that is easily achievable and that would definitely have helped in the fight against the spread of these algae in our bodies of water.

We now know where the Conservatives stand regarding anything related to the environment. Because of this government's failure to do something, I started a petition, in September 2007, to get the federal government to act and amend its bill, so as to eliminate phosphates from dishwasher and laundry detergents.

In October 2007, I tabled in this House a first series of petitions with over 1,200 signatures, and this week I will again present a new series of petitions signed by over 2,000 people, asking the government to act.

I would like to thank the environmental groups, volunteers, not-for-profit organizations and municipalities that collected signatures for this petition. In doing so, they showed that they were determined to take action.

However, this government has refused to shoulder its responsibilities on this issue. That is why we introduced this bill.

Bill C-469 would prohibit phosphates in dishwashing and laundry detergents. Currently, section 117 of the Canadian Environmental Protection Act, 1999, prohibits the manufacture for use or sale in Canada or the import of a cleaning product or water conditioner that contains a prescribed nutrient in a concentration greater than the permissible concentration prescribed for that product.

Bill C-469 adds provisions after section 117 that prohibit certain substances in dishwashing and laundry detergents and stipulate when these prohibitions come into force.

In short, the bill would prohibit the manufacture for use or sale in Canada, the import and the sale of laundry or dishwashing detergents containing phosphates.

The bill would also amend subsection 119(1) to make it comply with the amendments to section 117.

This is a small bill, but it represents an important step that this government and all parliamentarians could take to combat the problem of blue-green algae.

● (1110)

We are calling on the federal government to take action in this area of federal jurisdiction to preserve the quality of our bodies of water. This legislation that we are proposing supports the various measures taken by the Government of Quebec to effectively fight blue-green algae and preserve the quality of our water and our aquatic ecosystems.

Recently, in the fall of 2007, in response to the spread of blue-green algae, Quebec's environment minister consulted with various stakeholders about how to address this wave. In the wake of these consultations, the Government of Quebec announced in December 2007 the adoption of regulations under its program to combat blue-green algae.

Quebec's action plan includes a series of regulatory tools and prevention and awareness mechanisms to help municipalities meet the challenges posed by the spread of blue-green algae. The plan also provides for the adoption of a regulation prohibiting the sale in Quebec of dishwashing detergents containing more than .5% phosphorus by 2010.

The Government of Quebec is addressing this environmental problem by duly exercising its powers under the Canadian Constitution. It is important to realize that the issue of jurisdiction in environmental matters means that, in practice, a policy to address an environmental problem could fall under the jurisdiction of either level of government. In other words, there can be a number of solutions to an environmental problem and therefore a number of jurisdictions involved.

As far as the use of phosphates is concerned, the National Assembly of Quebec has taken action in its jurisdiction. We are calling on the federal government to take its responsibilities and take action in its jurisdiction to protect our lakes and rivers. Since Ottawa is responsible for regulating imports, the federal government must also take action in order to have a real impact on manufacturers and force them to change their practices.

The adoption of such standards by Ottawa, with respect to the manufacture of laundry detergents and dishwasher detergents, would force manufacturers to adapt or be shut out of the Quebec and Canadian market. Since this is a very important market for them, the manufacturers will be much more likely to offer a product in compliance with the new Quebec and Canadian standards.

The Government of Quebec has urged the federal government to change its regulations in order to intensify the commercial impact of banning dishwasher detergents and other detergents that contain phosphates, thereby strengthening and making more effective the legislation that Quebec wants to implement.

The Bloc Québécois is well aware that banning detergent containing phosphates will not be enough to eradicate blue-green algae from our waters. This problem is complex and has been around for a number of years and will not be resolved in the immediate future. Other measures have to be taken by the Government of Quebec. We will be able to put an end to this problem with well-targeted action. We need to see an effort by all levels of government, municipalities, waterfront property owner associations, farmers and the general public. However, the federal government can ban the use of phosphates in detergents and it can do so quickly.

By taking swift action in this matter, the federal government will strengthen the Government of Quebec's action plan. By supporting Bill C-469, the federal government will also establish a clear consensus on the use of phosphorus in detergents.

I am calling on all parliamentarians to vote in favour of this bill.

● (1115)

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I would first like to thank my colleague from Berthier—Maskinongé for presenting this bill dealing with a factor that could make a contribution—as minimal as it may be—to helping the environment. However, in this important matter, every step in the right direction is always welcome.

I would like to ask my colleague a question. I listened carefully to his presentation and what I heard is that outside of the use of phosphorus in the agriculture sector, the use of dishwasher detergent in the resort sector may account for up to 5% of the problem. Thus, it would be worthwhile dealing with this matter.

I am very familiar with this matter because I worked on it with officials from Vermont. One thing is certain: pollution knows no borders. Therefore, we have to work together. According to the theory just presented by my colleague, we have to choose one or the other level of government—those are his words. However, he mentioned that agriculture was one of the major causes of this environmental problem.

The Quebec plan deals with this very indirectly, almost not at all. For its part, the NDP is calling for compensation for farmers in exchange for a buffer zone of about 10 metres rather than 3 metres. At this point, the three-metre standard is not cast in stone because only Ontario and Quebec apply it; Prince Edward Island requires a 10-metre buffer zone.

Is my colleague saying that the problem cannot be solved, even in light of the current surplus? The efforts of Fisheries and Oceans Canada provide a good example of two levels of government that must work together. In Quebec, Fisheries and Oceans Canada has its own work to do. When I was Quebec's Minister of the Environment, we always worked with Fisheries and Oceans Canada.

Is it the official position of the Parti Québécois to state that the federal government does not have a role to play while respecting provincial jurisdictions? Excuse me, I was speaking of the branch of the Parti Québécois in Ottawa, the Bloc Québécois.

An hon. member: It is the same thing.

Mr. Thomas Mulcair: It is six of one and half a dozen of the other.

Do the separatists believe that it is inconceivable that the federal government could intervene while respecting provincial jurisdictions, for example by introducing agreements? Are they not more inclined to agree with us that it is possible for the federal government to have a constructive role and also respect provincial jurisdictions?

In short, we believe that any plan that fails to deal with the agricultural sector is destined to fail.

● (1120)

Mr. Guy André: Mr. Speaker, I thank my hon. colleague from the NDP for his question.

First, I should say that farming undeniably plays a major part in the blue-green algae problem. I might add, for the benefit of my colleague from the NDP, that there is actually no farming in the vicinity of several of the lakes contaminated by this algae. The problem, in fact, lies with the people, those who have been building cottages around lakes these past few years and plan to retire there. They use more water, more dishwashers and more products containing phosphorus that pollute our lakes.

I agree with the hon. member that we are not resolving the whole cyanobacteria issue, but we are dealing with a major part of the problem.

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I welcome the opportunity to turn our attention to a discussion on phosphorus.

The need for attention on this issue was evident this past summer but the challenge has not diminished with the change of season. The government is very concerned with any environmental problem that affects our freshwater systems and which can compromise the things we value: access to high quality, safe drinking water or the ability to swim or fish in a lake on a hot summer's day.

We know that phosphate contamination in surface water is a concern because phosphates can act as a nutrient that supports the growth of certain blue-green algae. Under conditions of high nutrient inputs, blue-green algae can form what is known as “blooms” which dominate the natural community as they outgrow other benign forms of algae.

These blue-green algae blooms are capable of producing toxins that can harm humans, livestock, pets, wildlife, fish and shellfish. These toxins may also cause skin rashes, throat or eye irritations or gastrointestinal disorders. Although toxins themselves are odourless and tasteless, other compounds produced by these blooms can cause foul taste and odour problems that impair the drinking and the recreational use of the water and cause beach closures.

It is important that we minimize the risk of these toxins by reducing the incidence of blue-green algae blooms wherever possible. In most cases, this can be best achieved by reducing the phosphate levels. However, because each water body and its drainage basin is unique, the best approach to phosphate control and management differs for each system and thus the major phosphate sources need to be carefully evaluated in each case.

While it may seem that these pollution sources are obvious, in reality the problem is complex because there can be numerous sources. In a given watershed, some of these phosphate sources can be difficult to locate and measure because they are spread out, as is the case for phosphates entering waterways from multiple sources such as fields, small tributaries and so on.

According to our current scientific information, the largest primary sources of phosphates at the national level in Canada are agriculturel and waste water. The government recognizes that blue-green algae growth in our lakes, rivers and streams is a serious problem. The problem is that dishwater detergent is only a small part of the problem, between 1% and 2%. We need to do more to have a real impact.

On September 24 of last year, we announced a plan to get tough on sewage drainage by bringing in tough new regulations on sewage treatment across Canada. These new rules will bring Canada in line with some of the toughest rules in the world, like those found in the European union. The regulations will set out new national baseline standards that will apply to over 4,000 waste water systems in Canada. These actions will lead to real water quality improvements.

Phosphorus is used in certain detergents and cleaning products to soften water, reduce spotting and rusting, keep dirt particles in suspension and enhance the performance of the cleaning. However, as noted, phosphorus is a nutrient and when released into the aquatic environment it can promote the growth of blue-green algae.

For that reason, phosphorus concentration regulations were put in place for laundry detergents in the 1970s when the treatment of municipal waste water effluent was much less advanced that it is today. Some European countries and some American states have also moved to limit phosphorus in laundry detergents and so far five American states have regulated concentrations in dishwater detergents.

● (1125)

Environment Canada data suggest that detergents account for just over 1% of the total national releases of phosphates to surface water. There are already a number of cleaning products on the market that have low or negligible concentrations of phosphorus. Further, the Canadian Consumer Specialty Products Association, whose member companies produce 86% of all automatic dishwashing detergent sold in Canada, announced in October an industry wide led initiative to voluntarily limit phosphorous concentrations to one-half of 1% weight in dishwashing detergents by 2010.

Ultimately, science is needed for informed policy decisions so that actions are taken to tackle the right source at the right time and in the most efficient manner. In short, we are focusing on enhancing the science based upon which informed decisions can be taken to reduce the inputs from the major phosphate sources and better manage the risks.

I mentioned earlier that data shows agriculture and sewage to be the largest sources of phosphorous in Canada. Environment Canada scientists are working with their counterparts in Agriculture and Agri-Food Canada on the development of a national agri-environmental standards initiative. This is a set of non-regulatory standards that, when met, will help to protect the freshwater ecosystems from the harmful effects caused by excessive amounts of phosphorous and other pollutants from agricultural activities.

Implementing the national agri-environmental standards initiative would also identify watersheds that should be targeted for beneficial management practices as a component of farm plans. Proper implementation of farm plans will help lower inputs of phosphorous and other agricultural contaminants to acceptable levels.

Scientists from Environment Canada have been working with provincial and international partners using the science-based approach to remediate the Great Lakes since the 1980s. We strive to stay ahead of this issue elsewhere, working with local watershed groups in other areas of Canada.

I would like to share with Parliament some new projects that demonstrate how the government is collaborating with the provinces on integrated water resource management and agricultural watersheds.

Scientists from Environment Canada and Agriculture and Agri-Food Canada, along with their provincial counterparts and stakeholders, have reached agreement to assess the impacts of current agricultural practices and water quality and aquatic organisms in the LaSalle and Little Saskatchewan River basins in Manitoba. This work will result in a better picture of the contribution of agricultural activities to water quality and other nutrient related problems in the Lake Winnipeg basin.

We will continue to work with our provincial, territorial and municipal counterparts to protect our watersheds and drinking water sources.

In short, it is critical that we focus our energies on actions that are truly effective in addressing the main sources of pollution to our watersheds. That is why the government supports a comprehensive, multifaceted approach. A strategic approach that integrates our efforts and is done in a collaborative manner with provincial and territorial governments will deliver the most effective results.

● (1130)

[*Translation*]

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I thank my hon. colleague for introducing this bill, which would address a complicated issue that has a profound impact on the health of Canadians.

I would like to start by saying that I appreciate the objective of Bill C-469 and I will support it so that the House may bring it before a committee. However, a number of things must be examined before this bill can become law and take effect.

I would like to take a few minutes to debate some logical and necessary amendments, which I feel should be included in the bill at committee stage.

[*English*]

Why regulate phosphorus?

It is important to understand why it is necessary to regulate phosphorus. Scientists have known for a long time that phosphorus, a naturally occurring substance, contributes significantly to the growth of blue-green algae, which contains cyanobacteria that is toxic to aquatic life as well as to humans when we drink it. Boiling the affected water does not destroy cyanobacteria, so it is vital that we stop phosphorus pollution at its source.

To give members an idea of the severity of the problem and of how blue-green algae is becoming an increasingly serious threat to the health of our communities, I note simply that last summer a record number of Canadian lakes and rivers were contaminated with this algae. In Quebec alone, 156 were affected and 90 were closed to swimming and boating. That is more than double the number of closures in the summer of 2006.

While the primary cause of blue-green algae is runoff from farm fertilizers and septic systems, together accounting for 98% of the problem, the member for Berthier—Maskinongé is correct that the phosphorus levels in certain kinds of detergents, where it is added as a stain remover and cleanser, are also of significant concern.

However, Bill C-469 goes too far. It calls for a complete ban on phosphorus when regulating the amount of phosphorus in detergents is all we need to do. It does not adequately distinguish between laundry detergents and different types of dishwashing detergent.

Allow me to make four points that will help clarify these issues for the House.

[*Translation*]

First, Bill C-469 rashly calls for the prohibition of phosphorus in laundry detergents. Phosphorus is added to laundry detergents to help with rinsing ions, such as calcium and magnesium, in hard water so that other components of the soap can properly clean the clothing. However, the member's bill does not consider the fact that for several years now Canada has had regulations limiting the concentration of phosphorus in laundry detergents. The Phosphorus Concentration Regulations, in the Canadian Environmental Protection Act, limit the concentration of phosphorus in laundry detergents to 2.2% by weight. And these regulations are very effective.

For example, they helped drastically reduce the proliferation of blue-green algae in the Great Lakes, while still allowing consumers to use the minimum amount of phosphorus needed to do their laundry. I must also point out that manufacturers have found another ingredient that can help remove ions from hard water. Of these manufacturers, 95% have completely stopped using phosphorus. It is now almost exclusively used for industrial and commercial activities.

Therefore, prohibiting phosphorus in laundry detergents seems pointless and inconsistent with our current regulations.

● (1135)

[*English*]

Second, Bill C-469 refers generally to all dishwashing detergent. In truth, we need be concerned only with automatic dishwashing detergent. Phosphorus is added to automatic dishwashing detergents so it can break up dried or greasy food soils, remove calcium lime film, sanitize dishes and help keep the dishwasher's jets and pipes free from obstruction so the machine can operate using less water and less energy. This is very different from liquid hand-dishwashing detergent, which is surfactant based and does not contain phosphorus. In my view it makes no sense to regulate all dishwashing detergent in general when we need be concerned with only one specific kind.

The problem dates back to when the original phosphorus control regulations were drafted, which was long before automatic dishwashers became a popular household appliance. Accordingly, while the phosphorus concentration of laundry detergents in Canada can be no more than 2.2% by weight, today most major brands of automatic dishwashing detergent have phosphate levels ranging from 3.3% to 8.7%. Some are as high as 20%. As we can see, the challenge is therefore not that these products contain phosphorus; it is that we are not controlling how much they contain.

Fortunately, Canadian industries are well aware of the problem. They are moving to correct it. The Canadian Consumer Specialty Products Association, whose member companies produce 86% of all the household automatic dishwashing detergent in Canada sold in Canada, is leading an industry initiative to limit phosphorus in automatic dishwashing detergent to a maximum of 0.5% by weight, effective July 2010. This would be the toughest standard in the world.

I believe we should support these companies in this initiative. Banning phosphorus outright would seem to unnecessarily and unduly punish an industry that is already adapting to address our concerns.

[*Translation*]

That is the third problem with Bill C-469. The wording of the bill does not take into account the fact that phosphorous is still an essential ingredient in dishwasher detergent, especially in industrial and commercial settings, where the machines are designed for large volumes of dishes and shorter cycles.

Unlike laundry detergent, the phosphorous in dishwasher detergent disinfects the dishes. Banning it completely could therefore seriously affect the health of Canadians. Experiments have shown that there is no suitable substitute for phosphorous at this time that can provide the level of cleanliness that consumers are looking for. One possible substitute, an alkali metal carbonate salt, has not yet been thoroughly tested and, therefore, the necessary quantities cannot be produced.

My fourth and final point has to do with the fact that, in deciding what Canada should do, the honourable members should have a clear understanding of the measures taken by some other jurisdictions, such as the United States and the European Union.

[*English*]

In the United States, regulating phosphorous is a state issue, not a federal one. In the 1990s, the state of Arizona began to phase out phosphorous. In response, its citizens started driving across the border into neighbouring states to get better automatic dishwashing detergents because those available to them did not work.

As of today, most jurisdictions in the U.S. are working with industry and moving to the standard of 0.5% in household automatic dishwashers by July 2010. Across the Atlantic, only a few countries in the European Union even have regulations on phosphates and none of them have implemented a complete ban. I mention this to underscore that North American industries are already moving to a standard that is equal to or better than standards anywhere else in the world.

● (1140)

[*Translation*]

I agree with the hon. member for Berthier—Maskinongé. Quite frankly, the government dragged its feet on this file. It only recently announced that it will review the changes to the regulations.

Before Bill C-469 was introduced in the House, my Liberal colleague from Lac-Saint-Louis presented another bill on this topic, namely, Bill C-464. My hon. colleague's bill takes into account the factors I have discussed here today and supports Canadian industries by asking the government to limit the maximum concentration of phosphorous in dishwasher detergent to 0.5%.

[*English*]

In closing, it seems only logical to harmonize regulations across the North American market and that Parliament should seek to implement regulations in line with those of the rest of the international community.

It is my hope that if Bill C-469 is sent to committee it can be amended in a way that reflects the wisdom of Bill C-464.

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I had an opportunity earlier, in a previous question, to congratulate my colleague from Berthier—Maskinongé on his initiative, and I would like to begin by reiterating my congratulations.

The bill is C-469, An Act to amend the Canadian Environmental Protection Act, 1999 (use of phosphorus).

From the question I put to my colleague earlier, it will be clear that we in the NDP are persuaded that any attempt to end the plague of blue-green algae—my colleague called it a "wave", and it is indeed a wave of blue-green algae, but more importantly it is a plague—that does not include a strong agricultural component is destined to fail. Even though we agree on the effort being made here, in terms of prohibiting the use of phosphates in dishwasher detergent, we believe that the federal government can do more, particularly when we see the very large amounts of money we have available right now.

We have calculated the cost of providing proper compensation for farmers in Quebec, where there is a 10-metre riparian buffer strip. On average, we could pay $1,500 per hectare per year as compensation for that buffer strip. There are 7,000 kilometres of buffer strips, and it would be of little consequence if that were increased to 10,000 kilometres—because human nature being what it is, I imagine that as soon as compensation is offered, more will be discovered. A strip one kilometre long by 10 metres wide is exactly equal to one hectare. At $1,500 per hectare, the 10,000 hectares in question in Quebec would cost $15 million. It was calculated that it would cost $50 million altogether to provide genuine protection for all of the navigable and floatable watercourses in Canada. And this is a federal responsibility; Fisheries and Oceans Canada is already working on it.

We are not saying that the federal government will dictate any conditions. Nothing would be imposed; rather, it would be a matter of working together with the provinces and reaching agreements. I am persuaded that if our common goal is to achieve a result, we will be able to find ways of doing it.

We already have experience in this: the Bloc Québécois insisted on voting against an NDP bill whose intent was to make pesticide rules throughout Canada as stringent as the rules that already exist in Quebec. Do we think that a pesticide that makes its way into the Great Lakes-St. Lawrence River Basin, but originated in Ontario, could not have negative consequences for the health of people in Quebec?

This demonstrates that we have to take a comprehensive view when we are dealing with environmental issues. When we talk about sustainable development, we have to take the environmental, economic and social aspects into account. We also have to understand that political borders mean very little.

When I was the Quebec Minister of the Environment, I remember spending two days in the United States with Manitoba Premier Gary Doer, to meet American officials. At the time, the governor of the state of North Dakota wanted to divert the water from Devils Lake to the Sheyenne River which, as we know, is a tributary of the Red River, which flows into Lake Winnipeg, a body of water that is already quite polluted by a number of other sources of pollution. Such a measure was out of the question as far as we were concerned. It is interesting to note that U.S. authorities were happily prepared to circumvent the Boundary Waters Treaty, which has been in existence for about a century between the United States and Canada. We managed to find a solution, in cooperation with the Americans.

So, considering that we are able to deal with these issues at the international level, the various levels of government within a country should be able to cooperate and find solutions. Indeed, it is all about finding a solution.

When I became minister in 2003, there was a huge blue-green algae problem in Missisquoi Bay, which is the body of water located at the top of Lake Champlain, on the Quebec side. Also, the river with the same name meanders over a long distance in the United States, before reaching Canada in Missisquoi Bay. It was estimated that 60% of the phosphorus that was creating a major blue-green algae problem was from the United States. Therefore, there would have been no point in introducing a bill that would not have had an international component. And there would have been no point in trying to solve the issue, if we did not deal with the agricultural aspect.

Whenever I talk about this issue, I am always careful to point out that we have no intention of blaming the agricultural industry. I realized something a long time ago, namely that 95% of farm producers already spend huge amounts of money to comply with agricultural standards.

● (1145)

The problem with riparian buffer strips that are only three metres wide is that it is virtually impossible to enforce them very effectively. It is very difficult.

The New Democratic Party thinks that if we followed the example set by Prince Edward Island and extended these strips to ten metres, we would get much better, much more positive results.

Throughout all my work with the Union des producteurs agricoles du Québec, that group has always stated unequivocally that it was not fundamentally opposed to wider buffer strips. Farmers have always told me, though, that this was their land and they wanted to be compensated if they were not going to be allowed to use it. We are actually asking them for something: to provide part of their arable land in the greater public interest.

Lawyers might say that people have no right to be compensated for complying with laws and regulations. This case is unusual, though, because our consciousness has been raised and we are realizing now that some of the things we did in the past with our means of production are having undesirable effects. So if we want to ask producers to refrain from farming within a 30-foot or 35-foot riparian strip, they should be compensated. That is what the NDP is proposing.

My colleague who introduced the bill on the phosphates in dishwasher products sits on the Standing Committee on Environment and Sustainable Development. We, for our part, are studying the possibility of working together with the Department of Agriculture and Agri-Food.

I would like to tell the House a little story. When we were in the Saint-Valérien-de-Milton area last summer to announce our plan, it was very interesting to see important representatives there from both the environmental sector, including Richard Marois of the Montérégie regional environmental council, and the agricultural sector. This was the best possible proof, in my view, of what a good job the NDP is doing. Instead of a divisive plan, we had one that brought the agricultural community and the environmental community together in support of a common cause. That is precisely what needs to be done in environmental issues.

I listened very closely to what my Liberal colleague from Ottawa South had to say and could not make any sense of it at all. I simply could not get over it. This is what he said was the most important, and I will quote it, because stuff like this simply cannot be made up:

[*English*]

"We can't punish the industry".

[*Translation*]

What an amazing knee-jerk reaction from someone who once chaired a round table on sustainable development, namely the National Round Table on the Environment and the Economy. He is pitting these two areas one against the other. He said that we cannot punish the industry. The idea here is not to punish the industry but rather to protect the environment.

The member referred to Bill C-464 introduced by his colleague from Lac-Saint-Louis, whom I know well and for whom I have the highest regard. The issue is not whether or not to support the industry. Yet, those were his words.

The hon. member for Lac-Saint-Louis will soon be hosting with people from McGill University an important evening event at which experts will give presentations about water. I want to make sure that someone in the audience asks him a question, quoting word for word what the member for Ottawa Centre just said. It sure is amazing to hear the colleague of a member who will be hosting an event about water protection tell this House that we should support the industry. That is precisely the message contained in his Bill C-464.

Sometimes a choice has to be made between supporting the industry and supporting the environment. The member for Berthier—Maskinongé is on the right track. We will support his bill, but we would like its scope to be expanded. That is why the NDP will continue to work in conjunction with the agricultural community.

● (1150)

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Mr. Speaker, I too would like to participate in the debate on Bill C-469, An Act to amend the Canadian Environmental Protection Act, 1999 (use of phosphorus), tabled by the member for Berthier—Maskinongé.

As my colleagues have pointed out, there are other bills on the table not only in Ottawa, but also in Quebec, where Bill 194 is before Quebec's National Assembly.

In addition to these bills, industry too is taking action. I have here a news release from the Canadian Consumer Specialty Products Association announcing a voluntary commitment to limit phosphorus content to 0.5% by weight, effective July 2010.

What is the member for Berthier—Maskinongé proposing in his bill? Simply put, the bill aims to prohibit the manufacture, sale and import of these products.

The bill clearly states that once it comes into force, it will be against the law to manufacture, for use or sale, a cleaning product or water conditioner that contains nutrients, such as phosphorus. This would also apply to products for use in dishwashers.

The bill also proposes that the importation of such products be prohibited 180 days following royal assent. With respect to the sale of such products, the prohibition would come into force 360 days after the bill receives royal assent.

I would like to say a few words about phosphates. I found it very interesting that people do not realize that the phosphates and phosphorus that end up in our lakes do not come from dishwashers alone. That much is clear. I will come back to that in my discussion of concentrations, percentages and how much dishwashers contribute, but we know that the main sources are agriculture and waste water.

When it comes to waste water, it is not easy to figure out how much comes from treatment plants because not all of them put waste water through a process to remove phosphates with a chemical known as alum. Not all treatment plants contribute to the problem. If waste water does not undergo tertiary treatment, phosphates often go right through treatment plants.

The other issue concerns septic tanks and septic fields. I believe there are also bills on the table in Quebec to strengthen or give more teeth to the regulations on septic tanks and septic fields. It is also important to point out that some isolated residences in our society still discharge household waste directly into septic tanks and therefore directly into the environment.

The aging of a body of water is known as lake eutrophication. This happens when nutrients such as phosphorus and nitrogen are added to the water and cause aquatic plants and algae to grow.

Statistics show how many lakes and rivers have been affected in recent months. Quite often, lakes and rivers are affected, with the result that people are prohibited from using these bodies of water, especially as sources of drinking water.

Since 1972, various statutes have prohibited phosphates in laundry detergents. At that time, legislators no doubt neglected to realize that dishwasher detergent use would increase.

● (1155)

Was this an oversight? Was it a deliberate choice dictated by manufacturers at the time? Was it due to the fact that we had few dishwashers in our homes and cottages at the time?

We know that these regulations on laundry detergents have existed for many years. The aim of this bill is to strengthen those regulations by including dishwashing detergents.

Last spring, the Bloc Québécois submitted a proposal to Environment Canada calling on the government to regulate phosphates. Ottawa is responsible for imported products. The member for Hochelaga therefore felt that the two levels of government, Quebec and Ottawa, needed to work together and with all the other provinces to address the problem of blue-green algae.

On June 12, 2007, determined to fight the spread of blue-green algae, the Bloc Québécois introduced and won adoption of the following motion in the Standing Committee on Environment and Sustainable Development:

> That, pursuant to Standing Order 108 (2), the Standing Committee on the Environment and the Sustainable Development recommends that the government amend the Phosphorous Concentration Regulations in order to phase out concentration of phosphorous in dishwasher detergents and laundry detergents and that the adoption of this motion be reported to the House at the earliest opportunity.

On December 5, 2007, the chair of the Standing Committee on Environment and Sustainable Development officially tabled the committee's first report, Blue-Green Algae (Cyanobacteria) and their Toxins. The document is now officially before the House.

The Bloc Québécois is well aware that banning detergents containing phosphates—such as laundry and dish detergents—will not be enough to completely eradicate blue-green algae. Other measures must be taken by governments. However, the federal government can ban the use of phosphorus in dish detergents as quickly as possible.

In 2002, Quebec established a very good water policy. Among the commitments of the policy introduced by the Parti Québécois in 2002, article 3 set out the obligation to protect the quality of water and ecosystems. In both cases the objective is the same: to protect water quality for human consumption and use, such as swimming and bathing, and also to protect ecosystems, which are composed of living things, in our lakes and rivers.

As I was saying earlier, the Government of Quebec has taken action. I would like to go back to the choice society must make between prohibiting phosphates in dish detergents, or paying to remove these phosphates in treatment plants once they have been dumped into the sewers and transported through the sewer system to those plants.

I would like to talk about the studies conducted at Lake Champlain. I believe this is related to the comment by my colleague from Outremont, who spoke about this situation. A number of studies were conducted at Lake Champlain that revealed that it was about 50% cheaper for residents of Vermont, New York and Quebec to ban phosphates in dish detergents than to have them removed in treatment plants.

This concludes my speech on phosphates.

● (1200)

[*English*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Selkirk—Interlake has the floor for 10 minutes. Unfortunately, only two of those minutes will be today.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I will use those two minutes wisely.

I am pleased to rise today, on behalf of my constituents of Selkirk—Interlake, to address Bill C-469, the PMB that seeks to amend the Environmental Protection Act. This bill seeks to take off the market all dishwasher, dish and laundry detergents that contain phosphorus.

The hon. member for Berthier—Maskinongé is well intentioned with this bill. However, it is important to recognize that there are other sources of phosphorus entering into the environment and we need to look at ways of reducing all phosphorus.

Phosphorus from dishwasher and laundry detergents is only one source of all phosphoruses that go into the water and enter our lakes, rivers and streams. We know that the main sources of phosphorus in our waters are from urban waste water and septic systems which are used across Canada and in my riding are used in many cottage areas and communities surrounding Lake Winnipeg. There are also fertilizers and, yes, detergents we want to control as well.

We also know that this excessive nutrient loading is causing algae problems in our lakes and nowhere in Canada is this more evident than in my riding of Selkirk—Interlake and in Lake Winnipeg, with its huge blue-green algae that is experienced every summer. Lake Winnipeg is the pride and joy of many of my constituents, but it is suffering from excessive nutrient loading causing large amounts of blue-green algae that build up in the lake year in and year out.

For 13 years the Liberals did nothing to fix the problem in Lake Winnipeg and only allowed it to get worse. Fortunately, last November the Minister of the Environment came to my home province of Manitoba and demonstrated this government's commitment to Lake Winnipeg by announcing an $18 million investment toward cleaning up the lake. This is a dedicated stewardship fund for Lake Winnipeg. It is providing funding to retain the experts and tools that are needed to physically clean up the lake and remove the excessive nutrients, including phosphorus.

With that, I will conclude now and continue in the next hour of debate.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

[*English*]

When Bill C-469 returns to the House for study, the leading speaker will be the hon. member for Selkirk—Interlake and he will have eight minutes.

GOVERNMENT ORDERS

[*English*]

JUDGES ACT

Hon. Chuck Strahl (for the Minister of Justice) moved that Bill C-31, An Act to amend the Judges Act, be read the second time and referred to a committee.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, it is my great pleasure to rise today to speak to the Judges Act amendment bill.

This bill has the appearance of being of minor importance, for it amends a single number in a single paragraph of the Judges Act; however, the significance of this amendment is indeed great.

It will create the authority to appoint 20 new judges to the provincial superior trial courts and it will allow the government to achieve two very important objectives: first, to provide increased support and access to justice for some of Canada's most vulnerable groups, including aboriginal communities, victims of domestic violence and children in need of protection; second, it will facilitate the timely resolution of specific claims.

Subparagraph 24(3)(b) of the Judges Act, which we refer to as the pool, creates the authority to appoint additional judges to the superior trial courts of any jurisdiction in Canada. The pool was created in the early 1970s because of the recognized difficulty in having to constantly amend the Judges Act when jurisdictions needed an additional judge or judges.

This section is intended to permit the government to respond quickly to substantiated pressures on provincial superior courts. This bill would increase by 20 the number of appointments authorized under this section for judges of the trial courts and thus permit the appointment of 20 new judges to these courts.

The need for additional judicial resources to respond to existing and increasingly urgent pressures in the provincial superior courts has been clearly demonstrated, especially in six jurisdictions across Canada. Those jurisdictions are Ontario, Quebec, New Brunswick, Nova Scotia, Newfoundland and Labrador, and Nunavut.

In Ontario and the Atlantic provinces, the need for more judges arises in the existing family branches of the superior courts, and is largely the result of enhanced child protection laws and a growing population. Similarly, Quebec has witnessed mounting family and civil caseloads within its superior court.

Nunavut faces serious issues in terms of access to justice for its aboriginal communities. Complex criminal trials and increasing family law caseloads have clogged the system, and over the past year the senior judge of the Nunavut court has had to postpone several jury trials and court circuits due to a lack of judges.

Judges, lawyers, court administrators and other professionals are all struggling to meet those growing demands, and maintain an accessible and effective justice system for families and for children. Despite these efforts, court delays and backlogs have continued to increase and it has become clear that additional judges are required to be part of the answer to this situation.

Each of these jurisdictions have submitted detailed statistical data outlining case volumes, trends in court workload and backlogs. Based on the government's quantitative analysis of this information, these jurisdictions and their chief justices have objectively substantiated the need for at least 14 judges to respond to these existing pressures.

In addition, the government has introduced Bill C-30 creating the new specific claims tribunal. This tribunal will have the authority to make binding decisions where specific claims brought forward by first nations are rejected for negotiation, or when negotiations fail.

As the Prime Minister indicated in June, it is critical that the members of this tribunal have the necessary experience, capacity and credibility to examine historical facts and evidence. They must be able to address complex questions surrounding Canada's legal obligations and determine appropriate levels of compensation. For this reason, the proposed specific claims tribunal act provides that tribunal members must be superior court judges.

It is estimated that the tribunal will require the full time equivalent of six judges to handle its anticipated caseload of 40 claims per year. These claims are dispersed across the country with the greatest number arising in British Columbia, and some of the most complex cases originating in Ontario and Quebec.

All provincial superior courts are currently working at full capacity, with a number of them, as I have just described, experiencing significant backlogs and delays. As a result, authority for an additional six judges is being sought to provide the trial courts with the capacity to absorb the new work of the tribunal and to address these claims on a priority basis.

● (1205)

It is intended that through this infusion of new judicial resources, the courts will be able to allow a number of their experienced judges to be appointed to a tribunal roster of up to 18 judges. It is proposed that these judges would sit on the tribunal on a part time basis for a period of time equivalent to the number of additional judges provided to the court. The judges appointed to the roster would continue to sit for the balance of their time on cases assigned as usual by the chief justice of their own court.

Allocation of the 20 new judges to specific jurisdictions will take place following consultations with chief justices of the affected courts and the provincial and territorial governments. These consultations will begin immediately to allow the requesting jurisdictions to refresh the data upon which their original proposals for new judges was based.

It will also provide governments and courts the opportunity to discuss the workload and functioning of the new specific claims tribunal. The goal is to be in a position to appoint the new judges as soon as possible after the passage of this legislation.

We are extremely fortunate in Canada to have a judicial system that is independent and impartial. We take for granted that our judiciary will be fearlessly and fairly deciding on the basis of the facts and the law of each case, complicated issues that affect our children, our families, and our communities.

Our courts bear a tremendous responsibility. Each day they render decisions that have an impact on personal relationships, living arrangements and financial circumstances. These judges determine how parents will share responsibilities for their child, what level of support the child will receive, and sometimes whether a child can be safely left with parental care. At times the level of conflict between family members is extremely high, which increases the risk of negative repercussions for the children involved. There are few of us who do not experience a visceral reaction when we hear the facts of some of these cases.

Our judges cannot act upon these gut feelings. Throughout the process the court must be, and be perceived to be, completely unbiased and impartial. Public confidence in our judges and a decision they render demands no less. Maintaining an impartial and independent judiciary is thus the centrepiece of our justice system and we are rightly proud of the success we have achieved in this regard.

However, the protection of important principles such as independence and impartiality has little meaning to the average Canadian when the system is inaccessible to them. Average Canadians must have access to the court system for it to be properly functioning.

This government recognizes the social cost of maintaining a family justice system that is accessible and responsive to the needs of families in crisis. There is a social cost when the system is inaccessible. These costs include demands on the health care system and the criminal justice and youth justice systems that are incurred when family law issues are not dealt with in an effective and expedient manner. We have all witnessed as well the conflict and uncertainty that has arisen from past failures to establish a fair and impartial process for achieving binding resolutions on specific claims.

As members can see, this apparently minor amendment would have a significant impact on access to justice for a number of Canada's most vulnerable communities, including children in need of protection and aboriginal communities. It is also critical to the effective functioning of the new specific claims tribunal.

I am confident that all hon. members will recognize the true significance of this bill and will support its speedy passage.

ROUTINE PROCEEDINGS

● (1210)

[*English*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, I rise on a point of order.

Discussions have taken place between all parties with respect to the membership of the Standing Committee on Procedure and House Affairs and I believe you will find consent for the following motion. I move:

That the membership of the Standing Committee on Procedure and House Affairs be amended as follows:

Marlene Jennings for Lucienne Robillard.

(Motion agreed to)

GOVERNMENT ORDERS

[*English*]

JUDGES ACT

The House resumed consideration of the motion that Bill C-31, An Act to amend the Judges Act, be read the second time and referred to a committee.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, there was a great deal of concern, particularly in my home province of Ontario over the last 18 months, about the number of appointments in Ontario to the Superior Court and the number of vacancies. I wonder if the parliamentary secretary could share with us what consultation process was held with bar associations and law societies across the province to determine by what appropriate number to increase these appointments.

Mr. Rob Moore: Mr. Speaker, I thank the hon. member for Windsor—Tecumseh for his question. Certainly it is good to see him back as we resume our work in this Parliament specifically on justice issues.

As I mentioned in my speech with respect to the positions that will be created when this piece of legislation passes, the allocation of these appointments will be done in consultation with the chief justice of each province as well as in consultation with the provinces.

We have all heard the stories of the need in various provinces to address the backlog in the family court system. I know that is of concern to the hon. member. We are taking those concerns seriously. We are endeavouring to fill the positions as quickly as possible.

Further, it has been impressed upon us by the chief justices of the various provinces that there is a need for more positions to be filled. That is why we need to create these new positions and fill them as quickly as possible to address the backlog.

● (1215)

[*Translation*]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, I have a question for the Parliamentary Secretary to the Minister of Justice. With regard to the bill we are debating today, increasing the number of judges appointed may seem very pertinent given that every citizen has the right to have access to justice and the courts are backed up. This could be a very interesting bill.

However, over the past two years, we have become accustomed to having the governing party introduce very repressive laws, which have multiplied the number of trials. On the one hand, they wish to appoint more judges and, on the other hand, they have increased considerably the burden of access to justice because of the multiplicity of trials.

I would like to know what the parliamentary secretary has to say about this situation. They are trying to solve one problem but the proliferation of laws has created another. How do we find balance?

[*English*]

Mr. Rob Moore: Mr. Speaker, if we listen to the chief justices in the various provinces as we have done, there is a need. The hon. member knows, as she sits on the Standing Committee on Justice and Human Rights, that there is a profound need for more family court and superior court judges to address family issues.

I mentioned in my speech the negative impact that can be had for justice delayed. A theme that we hear over and over from people who are involved in a dispute is that they want it resolved. They want the dispute resolved probably in a way that they would prefer, but all parties usually agree that they want it resolved as expeditiously as possible.

A backlog has existed for a long time in the system on family cases. In order to address that backlog, we need to create new positions. This bill does it in a comprehensive way, rather than a piecemeal way. It creates 20 new positions. It is going to go some way in addressing that backlog.

The hon. member mentioned the measures we are taking in the area of criminal justice. No one on this side and probably no one in the House wants to see our justice system clogged with cases, but when there is a crime committed, when there is a trial before a judge or before a judge and jury, we want to see that an appropriate sentence is available.

The legislation we have brought forward is to address the fact that the scales of justice have tilted too far away from the protection of the rights of society and the rights of an individual victim. We want to tip those scales back in a way that better protects society. That is why we have introduced a number of very positive criminal justice measures.

[*Translation*]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I am delighted to rise in the House here today to speak to Bill C-31. This is my first opportunity to do so as the official opposition critic for justice. I must say, I look forward to working with my hon. colleagues on such important issues.

We have already heard some members ask the parliamentary secretary some questions. I have known him well for a few years now. He is, like me, a member from New Brunswick. I look forward to working with him and his colleagues on the House standing committee, so as to discuss these issues of mutual concern on the subject of justice, especially since I know the government is particularly concerned about criminal justice issues.

● (1220)

[*English*]

This piece of legislation which creates additional superior court positions in different jurisdictions across the country is something that we in the Liberal Party think should have been brought forward a number of months ago. In fact, in the previous Parliament it was legislation that was before the House at the same time as the legislation to deal with the recommendations of the quadrennial commission with respect to pay increases for federally appointed judges. It really is not new the idea that there is a backlog in the court system and that there is additional pressure on the trial courts across the country for a number of reasons which were correctly enunciated in many cases by the parliamentary secretary.

The Liberal Party sees this legislation as positive. We see it in a certain sense as unfortunate that it has taken this long. We would have preferred to see the government, in the legislation dealing with the quadrennial commission report some months ago, also include this particular provision to increase the number of seats on superior courts across the country.

The parliamentary secretary referred to six jurisdictions where there have been identified backlogs. I can speak with some personal knowledge about the jurisdiction that the parliamentary secretary and I represent, the province of New Brunswick.

It is a fact that in many cases, for example on an interim motion, in the family court in New Brunswick sometimes litigants have to wait eight months before being heard by a family court judge on what is a motion for interim relief. This is clearly an unacceptable circumstance. That is why the Chief Justice of the Queen's Bench of New Brunswick, the bar association and provincial attorneys general going back into the previous government had all been requesting that Parliament legislate to create additional spaces. In that sense, this legislation conforms to something that achieves a broad consensus across the country.

There is no doubt that the delays in family courts can be particularly troublesome. In many cases, because of changes in child protection legislation across the country, child protection cases clog up the docket. Because of the urgency of many of these matters they end up in effect bumping down the line some of the cases involving interim relief, cases of child custody, which can be very difficult and traumatic for families, not to mention the economic costs of continually having them delayed and adjourned.

For that reason, we think this legislation is needed and seeks to address a problem which has been identified for a number of years in many jurisdictions as pressing.

[*Translation*]

As for the 20 new appointments the government would make, if Parliament were to pass this bill, I would like the parliamentary secretary to be a little more conscious of linguistic issues, for instance, in my province, New Brunswick. We saw some strange situations, where bilingual or even francophone judges were replaced by unilingual anglophone judges. Once again, this has meant delays for anyone who wishes to plead their case before the courts in New Brunswick in French.

In one particular instance in the Moncton area, a francophone judge was appointed. The fact that someone was appointed who can conduct trials in French was very much appreciated. It was very important.

I would also ask the government to be equally aware of the fact that, in other jurisdictions in Canada, linguistic balance can be very important, if one claims to truly care about the issue of trials subject to delays or the issue of access to justice. Access to justice in one's mother tongue is also a fundamental question. If we cannot find a way to appoint judges who can conduct these trials or hear evidence in English or French, depending on the case, trial delays will increase at an alarming rate.

● (1225)

[*English*]

The parliamentary secretary also talked about the specific claims tribunal. Again, this will put additional pressure on superior court judges in some jurisdictions. There is no doubt that supernumerary judges or judges of long experience may in many cases be ideally suited to do a rotation on some of these specific claims tribunals, which means that chief justices in these jurisdictions will again have a need for more resources and for an increase in judges to hear some cases that have waited for a very long time. That is another valid reason why Parliament should consider increasing the number of superior court judges.

On this side of the House, we in the Liberal Party have some concern with respect to the appointments process this particular Conservative government has undertaken. One of its first acts was to attempt to stack the judicial appointments advisory committees in the provinces to ensure that the Minister of Justice would in fact control a majority of the members of the judicial appointments advisory committees in the provinces.

The parliamentary secretary talked about the independence of the judiciary. This is certainly something that I think all members value greatly. That independence is not enhanced when we try to stack and manipulate the independent process by which the qualifications of judicial candidates are assessed.

At the time of these changes, we raised some concerns about why the government would decide that it is important to have representatives of the police on these advisory committees. If one of the delays or concerns the parliamentary secretary identified is with respect to family courts across the country, or in some jurisdictions, the value that a police officer brings to the selection or evaluation of candidates for a family court appointment I think shows that the government was simply trying to pretend to give law enforcement a role in a process that really should be independent.

The minister should have resisted the temptation to be able to stack and manipulate these committees to ensure that he always would have a majority on each committee in every province, committees that are given the important responsibility of evaluating the competence and credentials of the men and women seeking to be appointed to the superior court.

Therefore, at committee we intend to look also at the issue of the appointments process. We are not satisfied that the government has been entirely responsible with respect to the independence of this appointment process, but we do recognize that there is a need to give these courts across the country increased resources. As I said at the beginning of my remarks, this is why we regret that this was not brought forward many months ago. The ideal time would have been when the government legislated its response to the quadrennial commission report.

In conclusion, I think all members share the sentiment that for those who seek to appear before the superior courts in jurisdictions across the country, whether it is with respect to a criminal charge and a criminal matter, a family law matter, other civil litigation or, in this particular example, with respect to specific claims tribunals, timely access to justice has long been held to be a fundamental right of Canadians.

In criminal law, the Askov case, as members will know, redefined what is reasonable access, that is, the right to be heard within a reasonable time. Surely that same principle in criminal law applies with respect to some of the most difficult cases in family law, where the custody of children can be at issue, where families are seeking to have their cases heard, and where, I think all members will agree, an eight month delay on an interim motion for interim relief simply does not make sense.

That is why if the government proceeds with this legislation quickly it will find that members of the Liberal Party are anxious to cooperate, but we would urge the government to resist the temptation in these appointments to once again seek out partisan appointments or once again attempt to manipulate the process by which the minister is given a list of persons, men and women, qualified to be appointed to the superior courts.

● (1230)

[*Translation*]

We believe that access to justice within a reasonable timeframe is a fundamental right, just as access to justice in one's first language is also a fundamental right in Canada. We therefore urge the government to respect these values.

We have been somewhat worried about some of the appointments made in recent months. Even so, we believe that adding 20 positions at the superior court and tribunal level should be fast-tracked by the House.

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, I am pleased today to join the debate on something that directly affects the proper functioning of our justice system and thus the people of Quebec and Canada. I am talking about Bill C-31, An Act to amend the Judges Act.

The purpose of the bill is to allow a greater number of judges to be appointed to superior courts of the provinces, or 20 more judges than the current limit. The intention of this increase is to improve the flexibility of the justice system in order to process the many cases before the superior courts more quickly and more efficiently. The bill will also allow judges from superior courts to be assigned to the new specific claims tribunal, which was created by the Specific Claims Tribunal Act.

I should mention, with respect to this bill, that my constituents have often talked to me about how cumbersome and slow the current justice system is. However, let us make a distinction between cliché and reality. We have to acknowledge that the complexity of the cases, the proceedings, the needless procedures and a shortage of judges are causing delays. Nonetheless, I know that the increased number of cases, in family law in particular, is such that parents in Quebec sometimes have to wait several months before their alimony or custody case is finally settled by a judge.

This is an unfortunate situation, but it is so because the number of judges provided for under the Judges Act has not changed for years. Accordingly, the Act does not take into account the population increase and the resulting new social realities, including divorce and increasingly complex cases.

At present, the Judges Act provides for a Chief Justice, a Senior Associate Chief Justice and an Associate Chief Justice for the Superior Court of Quebec, and for 140 other judges. For anyone who knows a little bit about the judicial system in Quebec, I would point out that the Superior Court hears civil and commercial cases where the amount at issue is over $70,000, administrative and family law cases, bankruptcy cases, jury trials and criminal trials, and appeals in summary conviction cases.

Under paragraph 24(3)(*b*) of the Judges Act, the Superior Court of Quebec may still appoint 30 new judges, above and beyond its current 144 judges, to meet the needs that arise. Under Bill C-31, it could go ahead and have 50 additional judges. Clearly, that amounts to a ceiling that is higher than the one we have now by 20 judges.

In the opinion of the Bloc Québécois and myself, adding judges to handle the many cases before the courts is part of the solution for improving access to justice. Undeniably, it is the government's duty to make sure that the public has access to the courts when they need it, that all accused persons are able to stand trial within a reasonable time, and that the system is not handicapped by a shortage of judges.

However, this must not become a panacea! I say this while at the same time believing that Bill C-31 is not a bad bill—quite the contrary—but the intended effects could be diminished by the ideology of this minority government, focused as it is on "law and order". This approach concerns me, and I would like to share my concerns with my distinguished colleagues and with the general public watching us today.

In my speeches in the past, and in my work on the Standing Committee on Justice and Human Rights, I have frequently referred to my grave concern about the enforcement-oriented approach taken by the Conservatives. It has expanded considerably since this government changed the rules for the judicial advisory committees. In my view, this manoeuvre by the Conservatives, along with a number of others I will talk about later, suggests that these amendments are somewhat secondary details in their minds.

Why is it so important to debate this? Because every one of our fellow citizens expects to have an impartial, objective judicial system, where they feel protected from any political or ideological position that might influence a judgment. It seems, however, that the recent judicial appointments made by this government do not adhere to the idea of impartiality that the public expects. This interventionist attitude is extremely disturbing, and I believe it is important that people be made aware of what this minority government is doing and planning to do to ensure that its "law and order" ideology can be implemented smoothly.

In the case of judicial appointments, my colleagues will stand firmly behind me when I say that we have to try to strike a balance. That is why our judicial system is founded on an independent judiciary.

● (1235)

The Bloc Québécois has been saying for a long time now in this House that we are looking forward to the day when there will no longer be partisan appointments to the judiciary, when we will have independent committees selecting our judges, selecting people with the very best qualifications.

I am not saying the current judiciary is not qualified, but I am saying that often judges are appointed in a partisan and political manner. The media regularly decries this practice and shares its displeasure with the public, who in turn become cynical. The government must not try to appoint judges that suit its ideology, because that could interfere with the impartiality of the courts, a fundamental rule of justice shared by all citizens.

Once again, to all those who are not very familiar with the judicial appointment system, it has often been debated because of the political interference that has been found.

The problem currently before us is twofold: on one hand this minority government has changed the judicial appointment process; on the other hand it is taking advantage of these changes to ensure a position on the judiciary for candidates who are ideologically in favour of or well connected, directly or indirectly, to the Conservative Party.

Let us be clear: this practice was not invented by the Conservatives, since they themselves have criticized the Liberals for doing the same thing in the past. However, these accusations illustrate the extent of the problem of appointing judges and the impartiality of the justice system.

For those who are watching us, I will provide some context by saying that judges are appointed by the government from a list made by a judicial advisory committee whose members voted for the candidate they deem best qualified.

Before the changes made by the Conservatives, the advisory committees had seven members. Out of seven evaluators, four members were politically independent, in other words, there was a representative from the Canadian Bar Association, another from the bar of the province concerned, a representative of the provincial department and, finally, someone to represent the judges. The three other members were appointed by the federal Department of Justice came from the public. These individuals frequently subscribed to the ideas of the government of the day.

It is important to realize that, as it turned out, the federal government was in the minority on that committee and therefore could not impose a candidate.

Nevertheless, the Conservative government was not happy about this situation because it would have had a hard time passing its political "law and order" agenda for justice. So without consulting the legal community, my colleague from Provencher, who was then Minister of Justice, changed the makeup of the advisory committees as follows: First, in addition to the three members of the public, he decided to appoint a police officer, thereby ensuring that four members would be government supporters. Then he denied the judges' representative the right to vote except to break a tie. And there you have it. The government gave itself a majority on these committees and was able to impose its repressive "law and order" ideology with ease.

I can already hear people protesting that this will not compromise the qualifications of those appointed, that we are exaggerating, or that we think this creates opportunities to interfere even though it does not.

However, various events have proven us right. I am not just talking about a few isolated cases. I am talking about a system that has a direct impact on the objectivity of our legal system.

I would like to draw to my distinguished colleagues' attention the results of *The Globe and Mail*'s investigation into the matter, published on February 12, 2007, which showed that, apart from the police officers, no fewer than 16 of the 33 individuals appointed to 12 advisory committees were connected in some way to the Conservative Party. Sixteen of them. Coincidence? Unlikely. The newspaper revealed a number of cases where the connection was extremely clear.

Once again, some may say that this does not mean the individuals are not well suited to the job, that there is no conflict here, and that nobody is trying to push any agenda whatsoever. Nothing could be further from the truth.

In response to repeated questions about these appointments, the Prime Minister's own statements indicated that our concerns about changes to the advisory committees were well founded.

● (1240)

The Prime Minister said, on February 15, 2007, in this House, "We want to make sure we are bringing forward laws to make sure that we crack down on crime, that we make our streets and communities safer. We want to make sure our selection of judges is in correspondence with those objectives". The result is that they add a police officer and make partisan appointments to the advisory committees and take the vote away from the judiciary!

I have no hesitation in saying that our police officers do very honourable work. That does not mean, though, that they are necessarily the best qualified to participate in the appointment of judges who hear mostly non-criminal cases. I should say as well that police officers represent primarily the executive branch of government, which is subject to judicial control. The presence of a police officer on a committee of this kind would further undermine the separation of powers on which our constitutional state is based.

It is blatantly obvious, therefore, that citizens cannot count on an impartial judicial system so long as this scheme is in place. When it comes to justice, this government should think long and hard about its real objectives.

When we look at the concerns I have listed—the political manoeuvring surrounding the evaluation committees, the elimination of a program like the legal challenges program, and the law and order ideology of this government—I am puzzled by the proposals in Bill C-31 to improve the legal system.

Certainly, more judges should improve access to justice, but if the Conservative ideology is rapidly implemented, how will the proposed change in Bill C-31 be enough to meet the demand? If the Conservatives want to punish rather than prevent, the legal system will quickly become overloaded. At the other end of the spectrum, adding judges will not do any good when people do not have the means to exercise their rights.

In conclusion, the Bloc Québécois will support Bill C-31. Maybe some things can be clarified during study in committee. In any case, though, the problem remains: partisanship will always play a major role in the selection of judges regardless of the total number of judges on a superior court. The Bloc Québécois will always continue the fight to eliminate partisan appointments to the bench. It will do all it can to help the people get truly independent committees that choose judges in such a way that we get those who are most competent.

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, Bill C-31 is one paragraph long and simply increases the number of judges, from 30 to 50, at the superior court level across the country.

We need to put this in context in terms of the number of judges who sit at that level. The figure is somewhere in the range of about 750 to 800. Then there are a number of others who sit at the appeals level, plus the those who sit in the Federal Court. This section of the Judges Act was designed to allow for an increase in the number of judges appointed in this special category based on requests from the provinces and territories.

Other than appreciating that number, it is important to put in context the current situation and the length of time since there has been any increase in the absolute number of superior court justices across the country.

The simple fact is the increase in number does not even keep up with the overall growth of the population in Canada. Of the 20 judges to be added, 6 would be designated to go to the specific claims tribunal and would not be in our regular courts. Therefore, we would only get 14 additional trial judges at the superior court level across the country. The population increase far outstrips on a percentage basis, a per capita basis, those additional numbers of judges.

Across the country, bar associations, law societies and judicial councils have called on the federal government to increase the number of judges and hasten the number of appointments when vacancies are available. In my home province of Ontario, administrative senior judges have been unusually public in criticizing the government for the slow pace of appointments it has made.

We have heard from some of the other opposition parties the concern about the new appointment process introduced by the government. I do not think anybody who is objective about the process sees it as anything other than a very clear attempt on the part of the government, and in particular the Prime Minister, to ideologically shift the bench in the way appointments would be made.

It is not that the former Liberal administration was not guilty of similar misconduct in the way it made appointments, particularly of a partisanship nature, but this attempt to ideologically shape the bench is regrettable in a democratic society.

Again, I want to put in context the difficulties our judiciary has with the increased workload with which it is faced. Legislatures across the country continue to pass laws that, in effect, promote additional litigation. I do not want to overemphasize it, but this is true in the criminal law area. However, when the government introduced the appointment process change about a year and a half ago, what came out in the hearings of the justice committee was the small number of cases, percentage-wise, that were of a criminal nature at this level of the courts. The vast majority of criminal trials and proceedings in the criminal justice system are at the provincial court level, a different level than where these judges are.

What happens at this level and what increases the workload, not the sheer number of cases, although those are going up, is the number of super trials. These are trials that will go on for months and months and, in some cases, years. These are cases under the Criminal Code, under our anti-drug legislation, and they take up the entire year of a judge's workload at times. We are seeing more of those cases coming, not just in the drug area but in some security crimes that end up in front of the judges.

● (1245)

Therefore, the sheer number of cases is not going up. What is up going up is the length of the trials and the number of hours judges have to commit to those very lengthy trials.

That is true as well in civil litigation. I think of the amount of additional judicial time that was taken up across the country as the reforms went through in our auto insurance legislation. In Ontario, at one period of time, I was dealing with four separate pieces of legislation that affected automobile accidents depending on when they had occurred. This imposed significant additional burdens on our courts because they had to interpret those statutes as the law changed, which took up additional hours. That is repeated by any number of other examples across the country.

The number of hours spent on the criminal cases is going up. Similarly, the number of hours on civil litigation cases of a general nature is going up. Those trials are also becoming longer.

I can remember hearing some of our more senior judges describe what it was like to do a trial 20, or 30 or 40 years ago compared to the amount of additional work and hours that now went into these cases, with more expert witnesses and more witnesses generally called. A trial that might have taken 3 to 5 days is now taking 20 to 30 days in just the standard automobile accident trial where there is any kind of severe injury.

In addition to that, and perhaps where the greatest additional burden in absolute hours has come from, has been in the matrimonial law area. It is taking two forms. The sheer number of trials has increased dramatically. The interim motions and interim work that go on prior to trial and the time superior court justices are in court to hear the motions has quadrupled, and in some cases even more, their basic workload. That has gone up quite dramatically. It has been compounded by the number of files where one of the two parties, in some cases both of the parties, are self-represented. The reason for that is the costs in the vast majority of cases.

When I first started practising in the early seventies, a family law trial including a divorce, property settlement and the issue of support, whether spousal or child, would normally take two to three days. Those trials are now taking a minimum of 10 days and it is not unusual for them to go 20 or 30 days.

We are not talking millions of dollars. In most cases we are talking of the average family in Canada with assets of maybe a couple of hundred thousand dollars and incomes in the mid-range. That is what trials cost at the present time. Therefore, many applicants and defendants before the courts cannot afford to be represented by legal counsel. This inevitably leads to much longer trials. From talking to judges, a great deal of frustration on their part is trying to ensure that the individual representing himself or herself gets a fair hearing and that the process is fair to both the represented party and the non-represented party.

The additional thing that happens, and it goes back to the shortage of judges, is this phenomenon in the matrimonial area in particular has resulted in additional costs. I think one of the Toronto papers through the holiday break did a lengthy article on the number of adjournments that had to be granted because there was not enough judges available in the province of Ontario. I know it is a problem in my hometown of Windsor and I understand it to be a problem across the province of Ontario. I also believe it is a problem right across the country.

● (1250)

When clients are represented by counsel, counsel goes to court with them on one of these interim motions, which usually takes an hour to two hours to argue. A lengthy list may have 10 or 20 files before the judge that day. If too many of them do not get resolved, that is if they are argued, obviously the judge runs out of time before the end of the day and the case gets adjourned.

However, the lawyer, who has prepared for the motion, sits all day in court waiting for it to be heard and, if it is adjourned, the lawyer charges the client for that time. The same thing happens again a week or a month later and it may be adjourned again. In Toronto, in particular, we are seeing repeated adjournments of that nature. This costs the clients more money and forces them, in a number of cases, after a period of time of being represented, to take on their own representation, which prolongs the amount of time that is being spent.

That is the context in which we are functioning. Again, the appointments of the additional 14 judges, while welcomed and needed, will not be adequate to deal with the problems.

I want to make a final point with regard to the criminal law cases. From a number of questions that I and other members of the justice committee have asked at the justice committee when legislation has come forward, I know the government has not been doing an analysis, as the amendments to the Criminal Code have come forward, on how much additional court time these cases would take.

I want to put this into context. When we increase penalties in particular or we create new crimes with severe penalties attached to them, we end up with fewer pleas of guilty, fewer negotiated plea bargains and many more trials. We have not seen that increase yet but that will be coming over the next while. Again, the sheer number of cases in front of our criminal courts is not likely to go up much but I believe the length of them will go up quite dramatically because most of these cases from where this new legislation is coming deal with more severe crimes. The government has not done an analysis of how much more judicial time will be needed to take care of that.

At the end of the day we are asking our judges to cope with a growing population and the number of cases that have been added to their trial lists as a result of that. In each one of the major areas that they must deal with, criminal law, matrimonial law and general civil litigation law, which includes commercial litigation, the amount of work they are doing per file is going up dramatically and, in some cases, the number of files is also going up.

The NDP members will be supporting the bill but we are urging the government today, and we will be doing the same at the justice committee when the bill gets there, to seriously consider augmenting this relatively modest number of additional judges and look at increasing the number more substantially in keeping with what we are hearing from the judicial councils, the bar associations and the law societies.

● (1255)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, although our party supports Bill C-31 because we understand that there is a need to deal with the backlog in the superior court system, I agree with my colleague that it is not an adequate solution. However, we still need to support it because we are dealing with a backlog. I agree with my hon. colleague that there are huge costs and implications and we are dealing with people's rights. Justice is never served when it is delayed.

I would like my hon. colleague to comment on an issue that is of great importance to Canadians and that is the whole issue that the government seems to be attacking the judiciary. I think the judicial system needs to be defended by our parliamentary system because it is one of the cornerstones of our institution of democracy. Perhaps my hon. colleague could comment on the whole issue of judicial independence and the need to respect our judicial system in this country.

● (1300)

Mr. Joe Comartin: Mr. Speaker, we saw the attitude of the government in the final week of the 2006 election when the now Prime Minister but then leader of the official opposition made the point that the judiciary from his perspective was an adversary to where he and his party stood ideologically; the positions that they had taken on a number of issues confronting the country. They did not see them as part of the structure so much as being an impediment to the structure of government, which is, quite frankly, frightful in a democracy.

The Conservatives have made allegations over patronage appointments, which have some validity. An analysis was done on the appointments made by the former Liberal government and it was found that a number of people had direct involvement with the Liberal Party prior to their appointment as a judge.

What that analysis always misses is that no matter which party appoints them and no matter what their affiliation may or may not have been, the vast majority of judges, because of the legal training and their experience in our courts and in our law schools, they take an independent stance once appointed. That is something that did not seem to fit into the vision that our current Prime Minister has of the judiciary.

We have an excellent judiciary. I would argue that there is no judiciary in the world that is superior to ours, although there may be a few that are on a peer level. We have an excellent judiciary but we do not have enough of them.

The other point I would make concerns the government's constant attempt to undermine the discretion of our judiciary in criminal law and in other areas where we would think it would want to undermine the amount of discretion, in particular in the interpretation of our Constitution and our Charter of Rights. In a democracy that is frightful.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I was intrigued by my hon. colleague's dissertation on the pressures that we are seeing in courts all across the country. I know that many families in my riding cannot access the kind of justice they need because of the stress.

However, it becomes exacerbated if we look at the issue of isolated first nations communities. We certainly have a double standard in health, in education and definitely in justice in first nations communities.

Just recently, the Nishnawbe Aski Nation brought forward a human rights complaint over the issue of policing in isolated communities. The Nishnawbe Aski police are working under conditions that no non-native police service would ever be expected to work. Communities are not being served with proper justice at that level. When cases finally go to court, there is a lack of judges and legal representation to help people in isolated communities.

I would like to ask my hon. colleague if there is anything in the bill to address the woeful under-representation of resources for first nations law and justice in the isolated regions of the country.

Mr. Joe Comartin: Mr. Speaker, I wish I had thought of addressing my colleague's question in my opening remarks because he makes a valid point. I suppose the government could say that six of the twenty new judicial appointments will go to the specific claims tribunal which will, hopefully, dramatically increase the speed at which land claims are dealt with in Canada. That would be a very positive result for our first nations.

● (1305)

Mr. Pat Martin: Or be much slower.

Mr. Joe Comartin: Mr. Speaker, my colleague from Winnipeg makes the point that it may actually slow the process down. Maybe a different process would have been more useful. I think there is some merit to that.

However, beyond that there is nothing in the bill that would expand access by our first nations to our courts.

Getting back to the appointment process, maybe we should concentrate on getting more lawyers who come out of first nations and aboriginal communities onto the bench. In that regard, a little over two years ago an aboriginal lawyers' group that appeared before committee were quite proud of the fact that for the first time 100 lawyers had come out of first nations and Métis communities. That was a very negative comment with regard to recruitment from our law schools. In Ontario alone we have something like 30,000 lawyers and of those 30,000 only about 30 or 40 of them have come out of first nations.

Another thing concerns me about the bill. Two first nations communities in Yukon have approached me about expanding their methodology of dispensing justice. This is something we have not pursued. The prior Liberal government did not do it and the present Conservative government seems to be paying no attention to it whatsoever.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I wonder if the member could elaborate more on his comments about the independence of the judiciary. As he outlined, the Prime Minister made some embarrassing comments about that when he was in opposition but when his party became government it actually did things to change the ridiculous roll back of judges' wages. The Conservatives also changed the appointment process, stacking it with government appointees even though they did not have to follow the appointments. They changed the qualification requirements so they could pick anyone out of the group.

I wonder if the member could comment on that total attack on judicial independence which was a hallmark of the justice system in Canada until the Conservatives took power.

I wonder if my colleague could also comment on whether the appointment of 14 more judges to deal with the backlog is an indictment of the government's failure to deal with crime. The Conservatives have identified crime as one of their high priorities. However, had they been dealing with crime in ways that we have both promoted, such as dealing with the cause, recidivism, et cetera, then less judges would be needed, not more. Is this not an indictment of the government's failure to deal properly with crime and to reduce crime in the country?

Mr. Joe Comartin: Mr. Speaker, quickly on the points about the government not dealing with crime with a holistic viewpoint and with regard to its judicial appointments, one of the things that is of concern to a lot of trial lawyers in the country, in particular those on the prosecution side, is that we are going to get hit with another Askov type of decision by a superior court.

The backlog in the criminal area is increasing dramatically. A number of cases have been dismissed. The fear is that at some point there is going to be an overwhelming decision by one of our superior courts or appeal courts that is going to strike down a large number of criminal cases. It is not going to be an issue of dealing with them at all; they are just going to be out of the court system. When it happened in Ontario back in the early 1990s, it included a number of serious criminal cases that were dismissed at that point because they had not been dealt with in a proper fashion.

To deal with the issue of the government's attitude toward our judiciary and in particular its trying to interfere with the independence of the judiciary, probably the classic example of this is the former justice minister, not the present one, who sat with us on our review of judicial appointments. The position that he consistently took was that of wanting to create a less partisan appointment process, which was the case under the Liberals in a number of cases, one where the person being appointed is the absolute best choice in the country or in that region, without caring about his or her political affiliation one way or the other, not as a positive or a negative. It would be that we simply went on merit and took the very best candidate.

I remember how hard he pushed for that when he was the justice critic for the Conservatives. Now that they are in power we see what they are in fact doing, which again is to very much move away from the complete independence of the judiciary, as our Constitution requires, and toward a very clear, focused attempt to ideologically affect the appointment process, which would then ideologically affect the judiciary at all levels all the way up to the Supreme Court of Canada.

● (1310)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I would like to continue with the theme that the problem is not the number of judges, although I think everyone agrees with regard to the backlog and the specific claims process, which we are all supporting. The problem is in the way judges are appointed. If the way judges are appointed is such a disaster, which it has been as handled by the government, of course if we have more judges the problem is just going to increase.

When the Conservatives came to power they went around the process of the judges' salaries and put the iron fist on that. Once again, they inhibited the independence of the process and the judiciary by interfering in that process. Then they rejigged the whole judicial appointment process in ways that were roundly criticized by most judicial system experts across the country. It was only a recommendation. They would stack the appointment of judges in favour of the government.

That is not a secret agenda. This was quite open because the Prime Minister himself made the point that they needed the judges not to be independent, but to implement government policy, to make their interpretation of the law so that it would affect government policy rather than be an independent, fair, just interpretation of whatever laws there are. Of course, then government can change the laws if it does not like how they are interpreted.

I of course want to support the point on specific claims. This is a very important procedure that will definitely support the judges who will be required to catch up on the horrific backlog of claims for aboriginal people in this country and get some of those longstanding claims finally dealt with.

The final point I want to make is on the failure of the government to deal with crime. Although crime is being reduced in Canada, the government chose this as a high priority, and if it had been successful during its mandate there would have been a reduction in crime and we would need fewer judges, not more.

What is the reason for this? There was a wonderful show on CBC's *The Current*, last Thursday I believe, in which Anna Maria Tremonti talked about the failures in the federal jails in Canada. If we are going to reduce crime and a majority of crime is repeat crime, how do we deal with that? We have debated this numerous times in the justice committee. We have heard the experts' solutions. We have heard police officers' solutions.

Those solutions deal with making sure those crimes do not occur in the first place. They deal with removing the root causes of crime. They deal with removing overcrowding and poverty. They deal with the lack of ability to gain meaningful employment, whatever the reason might be. They deal with removing the much lower achievement of aboriginal people, on average, and with getting their school system up to the same level of achievement and therefore the same opportunities for gainful employment.

As the CBC analyzed with great care last week, this also deals with the treatment of prisoners. There are the criminals, in jail, where we have access to them, and they are going to reoffend unless they are treated properly. The program showed repeated examples of insufficient treatment, educational opportunities and anger management. Quite often the inmates themselves were asking for these services, these things that would help them return to society.

At committee, the experts told us that longer jail terms in many cases actually increase crime because jail is like a university of crime and inmates who are away longer from a quickly evolving society do not then have the ability to easily integrate. However, if they have the skills, they come out to a whole different world. It just exacerbates the situation if they are not getting training in the institution.

● (1315)

There has been one great leap forward in training and rehabilitation. It relates to alternative sentencing and different types of treatment of criminals outside of simple incarceration. A few weeks ago at an Ottawa city committee that deals with this, the chief of police gave marvellous examples of how that system had much greater rehabilitation effects.

We have failed for probably a thousand years to rehabilitate and to succeed in stopping recidivism, but at least some of these group conferencing and other types of non-incarceration sentences are actually having an effect. That effect is 60% to 70% in stopping a person from repeating a crime, whereas traditional incarceration has an effect of roughly only 40%.

We have finally come upon a new system that is having some effect on certain levels of criminals, but the government tried to pass a bill that would eliminate this for the vast majority of crimes. Fortunately, that bill did not pass. It was stopped.

Another example is that of the aboriginal court justice workers. The program was renewed at the eleventh hour. Thank goodness the present justice minister is totally supportive of that program, thinks it is a good idea and ultimately did renew it, but the government pushed that program right to the brink. Instead of rehabilitating offenders in this way that has been so successful, those workers had to spend their time fighting the fact that their program was expiring and there would no longer be any funding. At the last moment, funding was put into the program. I hope this system is actually put in on a permanent basis so these workers do not have to keep applying for funds.

Our position on this is that of course we want the justice system to work effectively. Justice delayed can be justice denied, so we want sufficient justices in the system to deal with cases. We certainly want judges for the specific claims, but we would certainly like the government to take far more action to reduce crime in the ways suggested by members of all the opposition parties and all the experts who came before committee. That would actually reduce crime so we would not need to keep increasing the number of judges and have an act like this.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

The Deputy Speaker: Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

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

* * *

● (1320)

[*Translation*]

CANADA TRANSPORTATION ACT

The House resumed from December 10 consideration of the motion that Bill C-8, an act to amend the Canada Transportation Act (railway transportation), be read the third time and passed.

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Speaker, I am resuming a speech started on December 10, 2007. As a result of the interruption, I still have 10 minutes for the rest of my presentation.

This bill is currently in third reading. Its primary objective is to clarify the Canadian Transportation Act and strengthen the provisions that currently protect shippers against possible abuses of market power by the railway companies. It is aimed primarily at western Canada's farmers and grain transportation.

Bill C-8 tries, therefore, to strike a better balance of power between the railway companies and the people that produce and ship products, including grain producers, who do not own the rails but have to send their hopper cars all across Canada. These people feel oppressed by the railway companies.

The purpose of the bill is to strike a balance. The proposed changes respond to the concerns expressed by shippers, especially grain producers in western Canada, about railway prices and services, while ensuring that the railway companies continue to have a stable regulatory environment.

In addition to what I said last December, I would like to tell the House about a meeting I had with a francophone Albertan. In what is quite a rarity, we were treated to a fine presentation in French by the Alberta Canola Producers Commission—a commission that does not even have a French name. We were sympathetic to what it had to say because it represents 52,000 canola producers throughout western Canada.

What they want mostly from the bill—and this reflects the Bloc's analysis as well—is the repeal of the requirement that the Canadian Transportation Agency must be satisfied that a shipper would suffer substantial commercial harm if relief is not granted. The provisions to be repealed prevent shippers from getting the relief currently provided by the act, such as the price of competing lines, which has not proved very effective.

The second point is to increase the amount of notice required for tariff changes to 30 days. Shippers will therefore have another 10 days to plan for increases, which is a more reasonable amount of time.

The third point would allow the Canadian Transportation Agency, by order, to establish new charges and associated terms and conditions on a railway company that wants to impose unreasonable charges or associated terms on shippers. Currently, shippers cannot challenge penalties or unreasonable charges for related services and associated terms and conditions when these costs are set out in a tariff. Demurrage charges are an example of penalties, while the weighing of loaded railway cars is an example of related service. Increasingly higher fuel surcharges that are arbitrarily imposed are also a concern.

The fourth point would establish criteria for the agency to determine the reasonableness of the conditions which, among other things, must be commercially fair to both the shipper and the railway company.

The fifth point seeks to set conditions for the return of railway lines to federally regulated railway companies.

The sixth point deals with the publication on the Internet of a list of available sidings where cars can be loaded.

The seventh point would add provisions to the arbitration clause, to allow parties to refer disputes to a mediator. The grain transportation sector must have a more balanced and equitable dispute settlement system.

The eighth point would authorize the shippers to join together to seek arbitration when they are not satisfied with the proposed tariff changes of a railway company. Broadening the scope of these provisions to allow shippers to file a joint complaint will help them spread arbitration costs. This is one issue that was raised, namely, that a shipper could not hold his own against railway companies when the time came to produce evidence before the Canadian Transportation Agency.

The ninth point, which is just as important, would institute an independent review of railway services.

● (1325)

A review is provided for and has to start within 30 days of the legislation taking effect. This review is vital to the canola industry, because it will be an opportunity to have service issues currently facing shippers subjected to an independent assessment and should produce recommendations that strike a balance between the responsibilities of shippers and those of carriers when service problems arise.

In a nutshell, we have also heard evidence from railway companies, which are totally in favour of a review that will promote a factual analysis of occasional and related costs incurred by grain carriers. These issues are not being addressed simply in terms of intentions or ideas. That is another important aspect of this bill.

I also wanted to point out that the Bloc Québécois supports the bill because it seeks to give powers under the Canada Transportation Act.

It is a good thing that we act on this because, in the past, we have seen railway lines abandoned. There is a need to regulate that to some extent now. Line owners operate them as they please, often hiking prices without notice.

One can understand from all these facts that the Bloc Québécois is very sensitive to the plight of grain producers from the Prairies and western Canada. We are also—there is no doubt about that—sensitive to the plight of Quebec producers. This is why we stand firmly in support of supply management in Quebec.

If the Conservative government defended the interests of Quebec producers with respect to supply management as strongly as it is currently defending those of grain carriers, that would make a great difference and would reassure our producers in Quebec.

I would like to remind the House of one thing: the Bloc Québécois makes no distinction between western producers and Quebec producers. Whenever we feel that the public in general is being taken advantage of by the private sector, we do not hesitate to step in and fully and constructively play our role as the opposition with the government.

Therefore, the Bloc Québécois will certainly be supporting this bill at third reading.

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Thank you, Mr. Speaker, for the opportunity, on behalf of the NDP caucus, to enter into the debate on Bill C-8, An Act to amend the Canada Transportation Act as it pertains to railways. We should note that it was known as Bill C-58 in the previous Parliament.

On behalf of my colleague from Windsor West, I would like to announce today that we are in support of Bill C-8. We will be supporting it at this stage of debate because we feel that it addresses many of the valid concerns that railway shippers have over the current conditions of the Canada Transportation Act which allow for the potential abuse of market powers by the railways.

We should point out that it is the view of the NDP at least that at the present time the Canadian Pacific Railway and the Canadian National Railway have a virtual duopoly on shipping prices. It is a new word to me. It is not a monopoly but a duopoly. Their financial stranglehold, as it were, is choking Canadian shippers who rely on the rail system to transfer their products from the farm or the mine to the market. Currently, for those producers, transportation costs are their second or third largest cost for these bulk shippers. Under this duopolistic regime, these shippers have no alternative way to transport their products.

Our point is, even though there are more than 30 federally regulated railways in Canada, something I did not know until today, many rail shippers are in fact captive shippers. That is, only a single railway company offers direct service to their area. For these shippers, the rail transportation environment is not naturally competitive and in the absence of adequate legislative measures, a railway company could take advantage of its position as a monopolist in the region. That is why we are welcoming these legislative measures that will afford some protection to these captive shippers.

A monopolist railway would have the incentive to offer lower levels of service at higher prices, we believe, than it would under more competitive market conditions. We welcome this attention to the rail transportation system, if I might, because it brings to light perhaps a larger issue facing Canadians in that Canada as a nation made a strategic mistake 20 or perhaps 30 years ago when it chose to start dismantling our rail transportation system and putting the emphasis of freight on trucks.

If there is anything I have heard you, personally, Mr. Speaker, speak about in the House of Commons, it is the fact that for all kinds of good reasons, for the environment, for the cost factor, to save on fuel, we should all be trying to get the freight off the trucks and put it back on the rails to the largest extent possible so that most of its transportation, most of the distance that is shipped is shipped by rail. That will take a shift in mindset for Canadians. It will take an analysis of our whole transportation infrastructure in this country.

I welcome the opportunity to debate Bill C-8 today on the rail transportation system as it pertains to the Canada Transportation Act, but I also welcome and invite other members of Parliament to join in what could be a very exciting period and opportunity as we revisit the whole transportation infrastructure as an integrated network of transportation that will meet the needs of the 21st century.

In that light, in that context, I draw the attention of members of the House to a report that was very quietly released just a couple of days ago without much fanfare. Hardly anybody noticed, it would seem, and certainly the media did not notice. It is called the "Asia-Pacific Gateway and Corridor Initiative", put out on behalf of or commissioned by the current Minister of International Trade and Minister for the Pacific Gateway.

In terms of transportation, this is the most important piece of work that I have come across in my 11 years as a member of Parliament because it finally comes to grips with the notion that we made a policy mistake a number of years ago when we got away from railroads and started tearing up the tracks to smaller communities.

● (1330)

God knows that with the experience in western Canada, we have not been nation building. We have been tearing up the tracks. We have been abandoning communities in terms of access to rail transportation.

I should recognize and again credit the authors of this brief 40 page report, one of whom, Mr. Arthur Defehr, is from Winnipeg and the owner of Palliser Furniture, which I believe is in your riding, Mr. Speaker, Mr. Jeff Burghardt and Mr. Richard Turner. This blue chip panel travelled the world and looked at efficient transportation networks, with an emphasis on Asia and on the revolution that occurred in transportation, shipping and freight, with the shipping containers and the new urgent need for Canada to get on board with handling these containers in a more effective, integrated approach.

The Asia-Pacific gateway is obviously looking at the ports and the terminals, but this report reminds us of the need and the potential for inland ports, for distribution terminals far away from the congestion of Vancouver and Prince Rupert. Perhaps, and I put this to the House as a member of Parliament from Winnipeg, a place like Winnipeg would be the ideal location for a great inland port.

Mr. Charlie Angus: Or Timmins.

Mr. Pat Martin: Or Timmins, Ontario, as it were, connected by rail, of course.

What we are saying is we have to think outside the box. Because of congestion, a terminal such as Vancouver is not going to be able to handle the millions and millions of containers that we anticipate flowing here from Asia and containers flowing out of here back across the Pacific Ocean full of Canadian commodities for export.

This is going to take a rethinking of monumental proportion. This is going to take some vision. The only vision we have seen in the transportation network in the last 30 years is how to tear up tracks, not how to build them.

The reason I raise this today is to serve notice to the House that there is a movement afoot in the city of Winnipeg to tear up the tracks in the inner city of Winnipeg and build a great inland port on the outskirts of Winnipeg that in fact will be a state of the art shipping container distribution terminal.

I have seen some humdingers. I have been to Shanghai. I have been to Indonesia and seen that state of the art container distribution terminal. I have been to Vietnam, and Fuzhou, China. Those terminals do not look anything like we have seen in this country. Those container terminals are like something we cannot even imagine. But this 40 page report shows us the way. It gives us a road map. It whets our appetite to investigate the enormous potential if we want to get with it and get into the 21st century in terms of an integrated shipping system.

As a member of Parliament representing the inner city of Winnipeg, I welcome this opportunity. If we do tear up the tracks that have divided historically the north end and the south end of Winnipeg with all the predictable social and economic consequences which flowed from that, and put those tracks outside the city where they belong, the opportunities would be enormous.

From an inner city point of view, the inner city of Winnipeg desperately needs new housing stock, new green space, new recreation facilities. This would be 250 acres, a subdivision in the heart of the city. If people would just dare to dream how wonderful it could be to meet these urgent needs and also to avail ourselves of this wonderful economic development opportunity of being the terminus, taking advantage of our geographic advantage as the very centre of North America, we could be the distribution hub for the continent.

Let me remind members that the full title of the Asia-Pacific gateway is the Asia-Pacific gateway and corridor initiative. It contemplates the input of the shipping containers from Asia through Vancouver and Prince Rupert, from Europe and Russia through Churchill, from South America and Africa through the St. Lawrence Seaway and the Great Lakes, all of it coming toward the true geographic centre of North America, which is Winnipeg, to be received, off-loaded and redistributed on a north-south corridor.

● (1335)

The Red River corridor goes north to south from Churchill through Winnipeg straight down to Texas, into Mexico, into South America. This is the vision of a great distribution network in which we could play a role and it starts right here. This is how these things begin, in the House of Commons with a little red report of 40 pages that was released without any fanfare. It is loaded with such potential that I can hardly convey it to you, Mr. Speaker.

Winnipeg has been a tale of two cities for many years. It is divided socially, economically and culturally by this great industrial scar right through the heart of our city. I am saying that we tear up the tracks, that we heal that scar, that we put in housing, green space, recreation. Let us get the tracks out of the city and rebuild a great distribution network, something that you as a railway man, Mr. Speaker, would be proud of.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I am from Winnipeg North which is the other side of the tracks that my colleague from Winnipeg Centre is talking about. He makes a very interesting proposal to this chamber and that is to try to deal with what is often considered an unsightly barrier in our city of Winnipeg, not unlike some other cities when there are rail yards smack dab in the middle of the city. It leads not only to questionable environmental and esthetically unpleasing sights but it also divides the city into the north and the south and leads to all the stigma that is attached to it.

My colleague from Winnipeg Centre has been very vocal on this issue. He has had the courage to dream about a project that does not seem to be on anyone's radar screen or on the minds of our city, provincial or federal governments at present. However, it often takes a seed that is planted in a place like this for something to come to fruition.

From where does my colleague from Winnipeg see the support for this project coming? Could he tell us a bit about this recent report on the Asia-Pacific gateway and corridor that he has talked about? Was this a report commissioned by the federal government? Is there some obligation on the part of the federal government to ensure that its dollars are spent wisely and that it sees through to the end the proposals recommended in the report?

● (1340)

Mr. Pat Martin: Mr. Speaker, I thank my colleague from Winnipeg North for her interest and concern in this issue. I was looking at a play that was written recently by a friend of mine. Bruce McManus wrote *Selkirk Avenue*, a quite well-known work. Two babushka-wearing Polish grandmas are talking on Selkirk Avenue in the riding of my colleague from Winnipeg North. One asks, "What are you doing today?" The other points at the Arlington Street Bridge and says, "I go to Canada. I go over the bridge to Eaton's today. I am going to Canada". That is how dramatic the divide is that has developed in my city of Winnipeg, because in 1882 it was decided to run the tracks right down the centre of Winnipeg and cause that great social and cultural divide.

From an urban planning point of view, my colleague is exactly right. There is a host of good reasons to tear up the tracks. There have been spills, derailments and explosions many times over the years. There has been contamination and environmental degradation. It has been an ongoing challenge to build and maintain bridges, overpasses and underpasses to go over and around these huge yards. And they are huge, we are talking hundreds and hundreds of acres of rail yards.

Finally, we desperately need the land for new housing, more green space, more recreation space. We want to use that land in the inner city of Winnipeg properly and not have it as an industrial blight. I have no objection to industry or development, but there are appropriate places for that kind of development, and the heart and soul, the core of our city is not the place.

The report that my colleague made reference to, commissioned by the Minister of International Trade, opens the door. It was finished in May 2007. I am wondering why it was only released a couple of days ago. I personally have approached the minister twice asking him for copies of it because we are all waiting for it. It is what opens the door for us and contemplates clearly a series of inland ports to accommodate this massive flow that we contemplate of shipping containers from all around the world converging, I hope, at the hub of North America, the very heart and soul of the continent, which is Winnipeg, Manitoba.

These container terminals are an awesome thing to see when they are well designed. If someone is trying to find a container with furniture from his factory, it might be 200 rows down and 100 rows over and up high. A computerized gantry will go and find it, pick it out and deliver it to him, so that no train and no ship is waiting more than 24 hours to offload or to reload.

That is the kind of vision we have to have if we are serious about attracting attention and being this distribution network. The railways will pick up freight and drop off freight if they do not get bottlenecked in a downtown core. If they can get in and out in 24 hours and pick up revenue, then they will come. Build it and they will come.

It is just a dream. It is just a vision. But it is exciting people because we are talking about the revitalization of the inner city on a scale—

The Deputy Speaker: The Chair hesitates to bring any debate about Winnipeg to an end, but the hon. member's time has expired.

● (1345)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak to Bill C-8, An Act to amend the Canada Transportation Act (railway transportation), on behalf of the Bloc Québécois. I would say at the outset that our party will be supporting this bill. Why? Because this bill, which has been discussed, amended, reworked and adjusted in committee, will provide a way to resolve a dispute that has been going on for a number of years between shippers and the railway companies—or at least, so we hope.

In recent years a whole series of tariffs has developed to counteract the Canada Transportation Act, which allowed for an arbitration system for disputes about the costs of railway transportation. That was permitted by the Act. Over the years, however, the railway companies have added what they called related charges to the shipping bill, charges that included parking, transshipment, fuel price increases and customs clearance. In other words, there is a whole list of charges that shippers had no say about; they had to pay.

Obviously, with respect to this dispute, Transport Canada had asked both the shipping industry and the railway industry to come to an agreement. For several years, talks were held, but no agreement between the shippers and the railway companies was possible.

It is important to say this. The railway lobby has been much in evidence throughout this lengthy process. They have lobbied based on the claim that this would destabilize the entire market. It is time for this situation to end, given that shippers are having to deal with only one transporter, as is the case for a number of companies located in remote regions, in Quebec and elsewhere in Canada, where the only really decent and safe way to ship goods is still the railways.

The Bloc Québécois has always come to the defence of railways. With globalization moving increasingly toward combating greenhouse gases, this mode of transportation is a good way of contributing to not polluting the way road transportation would do, for example. So the more preference we give to railways, the better it will be for the environment.

That is why, in our view, it is important for this dispute to be resolved. But will this settle the entire matter? Let us look at clause 3 of this bill, which will amend subsection 120.1(1) of the Act to read as follows:

> If, on complaint in writing to the Agency by a shipper who is subject to any charges and associated terms and conditions for the movement of traffic or for the provision of incidental services that are found in a tariff that applies to more than one shipper other than a tariff referred to in subsection 165(3), the Agency finds that the charges or associated terms and conditions are unreasonable, the Agency may, by order, establish new charges or associated terms and conditions.

This is exactly what I said before. It would be possible to apply the agency's decisions to any related tariff that did not directly impose transportation charges. The issue here is therefore the railway industry's bad habit of billing for all the other charges so that they were not applied to transportation charges, which were subject to arbitration by the Canadian Transportation Agency.

Second, this bill will allow several shippers to file a joint appeal of charges. That is the objective. This bill will affect our forestry and manufacturing industries primarily in their role as shippers. These sectors are experiencing very difficult times. The Bloc Québécois is the only real party in this House to defend the manufacturing and forestry sectors. The Conservative government did not come to their defence. Rather it presented an assistance plan contingent on the adoption of a budget, without taking into account the gloom that persists in Quebec regions. This government pays no attention to the interests of citizens or of the real public, but focuses on being elected.

● (1350)

The Conservative members from Quebec prefer to rise and defend the Conservative Party rather than the interests of their citizens. That is the choice of the Conservative members from Quebec, but not of the Bloc Québécois members. We will never hesitate to stand up in this House to defend the interests of citizens who are losing their jobs. It is not right to invest in the military, nuclear and oil sectors and to not help those losing their jobs, especially in the forestry and manufacturing sectors. That is why, once again, we will rise today to defend the interests of the manufacturing and forestry sectors.

This is not going to solve their problems. Bill C-8 will not solve all the problems today. However, these industries have been afflicted by this irritant for many years. For too long, Transport Canada allowed businesses to do what they wanted. It is time to put an end to all tariff systems other than the one tied to transportation costs. That is what we are trying to do today by permitting the arbitration by the Canadian Transportation Agency of disputes concerning all these other charges. It is important.

No bill has ever had such universal support from the shipping industry. Quebec businesses were invited to appear before the committee, and they were represented by national associations, because there truly was unanimous agreement. The request was not to touch the bill as tabled, apart from a few amendments made in committee following debate.

So this bill represents a request from the entire shipping industry in Quebec and Canada. Obviously, part of this bill directly affects western Canada and railway transportation.

The Bloc Québécois will agree that disputes should be settled on a national scale. We are pleased to support this bill.

Once again, it is often the small details that steadily move things along. Once we have passed the bill at third reading, as we are in the process of doing, and it receives royal assent—soon, we hope—this little dispute over the other charges can be settled.

I repeat that this bill also addresses another issue. Several shippers will be able to submit a matter jointly to save money. Obviously, as a result, in issuing the order in accordance with the bill, the agency must take into account the following factors: the objective of the charges or associated terms and conditions; the industry practice in setting the charges or associated terms and conditions; in the case of a complaint relating to the provision of any incidental service, the existence of an effective, adequate and competitive alternative to the provision of that service; and any other factor that the agency considers relevant.

The agency has full latitude to take whatever measures it may deem necessary in order to settle the dispute.

For the railway companies, the bill aims to strike a balance. The proposed paragraph 120.1(4) provides that:

> Any charges or associated terms and conditions established by the Agency shall be commercially fair and reasonable to the shippers who are subject to them as well as to the railway company that issued the tariff containing them.

Once the agency hands down its decision, the railway company shall vary its tariff accordingly. This is an obligation of result. It is very important that this be done as soon as the agency reaches its decision.

Why this dispute resolution? It is important that the railway companies also understand that the forestry and manufacturing sectors in Quebec and Ontario are on the verge of economic disaster. In the finance minister's economic statement, the picture of the forestry and manufacturing industries showed that they had been in a recession in Quebec and Ontario for two quarters.

● (1355)

Naturally, economists agree on this. When the situation facing the forestry and manufacturing industry is blurred by adding natural resources, which then includes oil company revenues, the problem is concealed.

That is what the Conservative government ultimately did. It did so in such a terrible way, by trying to suggest that the problem facing the forestry and manufacturing industry in Canada and Quebec was ultimately the same everywhere.

In distributing its billion dollars, the government did so per capita, that is, of course, per resident. With a minimum of $10 million per resident from the outset, Alberta has more money than Quebec to resolve the forestry and manufacturing crisis.

Once again, we denounce this Conservative approach, this manner of always acting in the interests of a few, rather than in the interests of the voters and citizens of Quebec.

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I very much enjoyed the remarks of the member from Quebec, who addressed the economic situation of Ontario from a particular angle. This is important to us as we are facing an economic crisis. I agree with him that the government should be doing even more. He discussed how members from both sides of this House could work together to resolve the problem. While this problem is really a western Canadian one, it does impact the economy of our country as a whole.

I also appreciated that the member spoke, not as a Quebecker, but as a Canadian who cares about Quebec and Ontario as well. I am originally from Ontario. I am very aware of the challenges it is facing today. It is important that pressure be brought to bear on the government and the members of this House regarding the economic situation of Ontario.

[*English*]

It is the engine of Canada from the point of view of manufacturing. It is a very important generator of lumber, lumber industries and secondary products, perhaps not as large as Quebec and British Columbia but these sectors are very important for Ontario.

I share with him the concern he has expressed on our behalf, that the government needs to be much more implicated in the economic crisis of the day being faced by industries in the manufacturing sector, in the lumber sector and in other sectors as well, but I will only name those.

Has he tabulated for us some questions about specific themes that he thinks the government should present to the House, to Parliament and to all Canadians or does he want me to do it for him? If he does, I will be pleased to do it immediately after question period.

STATEMENTS BY MEMBERS

[*English*]

CANADIAN WHEAT BOARD

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Mr. Speaker, as I drove the back roads of Yorkton—Melville during the Christmas break, I was concerned with the growing unrest within the grain farming community.

Many farmers are telling me they want to choose for themselves where they may market their grain. Being forced to turn their grain over to the Canadian Wheat Board is viewed as unfair. They point out to me that a recent Pool Return Outlook reveals that our western barley growers get about $2 per bushel less than North Dakota farmers just a stone's throw away. A huge differential in wheat prices also exists.

Grain producers ask me, "What kind of democracy forces farmers to sell their product back to a government agency for a discounted price?" Furthermore they ask, "Why must our western farmers sell to the Canadian Wheat Board while eastern farmers can sell their own product to the highest bidder?"

Farmers in Yorkton—Melville tell me that if they were free to market their own grain, many other government funding programs could become unnecessary.

Prairie farmers must contend with drought, flooding, wind and pests. They should not also have to battle with the Canadian Wheat Board.

* * *

● (1400)

INFRASTRUCTURE

Mrs. Susan Kadis (Thornhill, Lib.): Mr. Speaker, our urban communities are overcome with gridlock. The amount of people who drive everywhere by car has risen by 6% over the last decade. The provinces understand this problem. Both B.C. and Ontario have recently announced substantial investments to get citizens out of their cars and into public transit, yet the government looks the other way and throws roadblocks toward delivering funding.

The residents of my riding of Thornhill are eager for transit initiatives. Residents are facing longer commutes, widening roads, an increased population. Meanwhile the government evades its responsibility to deliver new funding for critical initiatives like the Spadina and Yonge Street subway extensions.

We need serious investments in mass public transportation to meet the needs of our expanding urban population. We need a transit plan now to get more people out of their cars. It is time the government got onboard.

We need a national transit strategy that includes new, permanent funding. We need a federal government that supports, not obstructs, funding public national transit.

* * *

[*Translation*]

BILL C-12

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, thanks to the Bloc Québécois, Bill C-12 was amended to protect one of the fundamental differences that sets the Quebec nation apart: its civil code. As a result, the bill protects Quebeckers' RRSPs from seizure.

The Conservative government's Bill C-12, previously known as Bill C-55, would have undermined Quebec legislation in defiance of a motion passed unanimously by Quebec's National Assembly.

The Bloc Québécois can say "mission accomplished" because Bill C-12, as amended by the Bloc Québécois, received royal assent on December 14. The act also covers the wage earner protection program, which the Conservative government must immediately implement so that workers whose employers declare bankruptcy can recover lost wages.

Given the current economic climate, the government has been inexplicably slow to implement the wage earner protection program. The Bloc Québécois will put pressure on the Conservative government until it implements this program, which should be as soon as possible.

* * *

[*English*]

LONGEST SKATING RINK

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, it is a bright, sunny day in Ottawa and I am sure thousands will be out skating on the Rideau Canal, the world's second longest skating rink. That is right, the second longest, because the longest is in my fair city of Winnipeg.

Thanks to Paul Jordan and a group of dedicated Winnipeggers, thousands of families are now able to lace on the blades and enjoy a skate on an 8.54 kilometre stretch of the Assiniboine and Red Rivers. Last year Ottawa scoffed at Paul's efforts, but Winnipeg has just skated right by it into the record book. And, no, we are not skating in single file.

Maybe it is my Dutch heritage where skating on canals is a way of life, but being in the Guinness book of world records does matter and Winnipeg has just done that with the longest skating rink in the world. The 8.54 kilometres exceed Ottawa's 7.8 kilometre skating rink.

All of us from Winnipeg challenge Ottawa to beat that record or else come to Winnipeg and enjoy a wonderful skate on the longest skating rink in the world.

* * *

HUMAN RIGHTS

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, yesterday the world honoured the 63rd anniversary of the liberation of Auschwitz by marking the annual day of commemoration in memory of the victims of the Holocaust.

Sadly, six decades after the world declared "Never again", genocide, ethnic cleansing and racism still exist and, indeed, are born anew. Therefore, Canada must lead the world in combating bigotry in all its forms.

It is for this reason that the Canadian government will not participate in the Durban review conference. We have no intention of lending Canada's good name or its resources to a conference which promotes hatred or anti-Semitism. It is for the same reason that the Canadian government is taking steps to become a full member of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research.

"Never again" must mean never again failing to take an active role in condemning anti-Semitism or any of the other forms of bigotry that continue to pollute our world.

Statements by Members

ACADEMY AWARDS

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, January 22 saw a record seven Oscar nominations for Canadian artists or related to Canadian film productions.

The film *Juno* features Haligonian Ellen Page who is nominated for best actress, and Canadian Jason Reitman who is nominated for best director. Torontonian Sarah Polley received a nomination for best adapted screenplay for *Away from Her* and for the same film Julie Christie is nominated for best actress.

Not to be outdone, Canadian David Cronenberg's *Eastern Promises* has its lead, Viggo Mortensen, up for best actor.

[*Translation*]

In addition to these five nominations, two short films have been given the nod. They are the NFB's *Madame Tutli-Putli* by Montrealers Chris Lavis and Maciek Szczerbowski, and *I Met the Walrus* by Torontonian Josh Raskin.

On behalf of all of my colleagues, I would like to wish these fantastic nominees the very best, and I hope that Telefilm Canada will work hard promoting these films to members of the Academy.

● (1405)

[*English*]

The envelope, please.

* * *

CONSERVATIVE PARTY OF CANADA

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, it has been two years since Canadians chose change and elected a Conservative government. We can take pride that we have kept our word and delivered the goods.

We made it a priority to clean up government. That is why we delivered the strongest clean government law in history.

We made it a priority to help parents. We are providing families with $100 a month for every child under six years.

We have cut the GST from 7% to 5%, reduced income taxes, slashed the right of the landing fee in half, helped seniors with pension income splitting and gotten tough on crime.

We made it a priority to improve infrastructure, which is why we have increased funding for the Asia-Pacific gateway, and we have introduced responsible environmental policies.

As a result of these priorities, Canada is getting stronger and the government is more accountable. The economy's fundamentals have been strengthened and the country is more united.

Our government is going to continue to deliver real results to Canadians in the months ahead.

[*Translation*]

QUEBEC NATION

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, last week we learned that Canada Post made a decision that was insulting to Quebeckers, and showed to what extent the place of the Quebec nation means nothing.

Canada Post printed a calendar with no reference to Quebec's national holiday, June 24, and issued a series of stamps portraying only anglophone artists, completely ignoring the international and national stature of many Quebec artists.This is what the place of the Quebec nation means.

This incident shows the Conservative-inspired corporate culture found in crown corporations. The government deceived Quebeckers when it voted to recognize Quebec as a nation, but had no intention of granting it the associated privileges.

* * *

[*English*]

THE ECONOMY

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, real leadership on the economy is what Canadians are looking for. What is the Liberal Party offering? Nothing, other than increased taxes and deficit spending.

The Liberal leader sees tax cuts, like the GST, as "a serious mistake". The Liberal finance critic openly muses about raising the GST. All this while making promise after costly promise that would send Canada spiralling into deficit. What do people expect from a Liberal leader who owes nearly a whopping $900,000 in leadership campaign debt? That is not leadership.

Leadership is precisely what is required at this time. We said we would allow Canadians to keep more of their hard-earned dollars, and we did.

We said we would cut the GST from 7% to 6% to 5% and we did. We said we would lower the lowest income tax rate to 15% and we did.

We provided $190 billion in tax relief for individuals, families and businesses while at the same time making record payments to reduce Canada's debt.

More money in their pockets and fewer Liberals in their wallets is the kind of leadership Canadians want and this Conservative government is delivering.

* * *

HUMAN RIGHTS

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, the government announced last Wednesday that Canada will not be participating in the 2009 Durban review conference. Despite mixed messages sent by our General Assembly votes in the fall, I am pleased that the government is now doing the right thing. This is an important first step.

The Durban review conference is set to be an exercise in racism and discrimination, in complete opposition to its stated objectives.

I believe the government should further demonstrate the strength of its convictions by halting federal funding to non-governmental organizations that will attend this charade, and by calling on our friends and allies to boycott this conference as well.

In addition, I propose that Canada consider hosting a parallel conference to combat racism and discrimination to facilitate global dialogue and action on this important issue, and what better place to hold it than in Winnipeg in the shadow of the new Canadian Museum for Human Rights.

* * *

[*Translation*]

FORESTRY AND MANUFACTURING SECTORS

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): Mr. Speaker, the electioneering hypocrisy of the Bloc Québécois is very cynical and must be denounced. These elected members are rejecting the government's offer to help manage the forestry and manufacturing crises by repeating that the fate of the workers cannot be dependent on the upcoming economic statement.

However, what Quebeckers are not hearing is that this $1 billion measure, which includes $217 million for Quebec, is not the only measure being taken. It comes in addition to the $127.5 million for the long term competitiveness initiative for the forest industry.

Furthermore, our government transferred $406 million to the Government of Quebec in unbudgeted equalization, which could, in the very short term, help the workers in the forestry and manufacturing sectors.

Spouting rhetoric while offering nothing is the worst form of politics. The Bloc's powerlessness to achieve real, concrete results for the forestry industry today, tomorrow and forevermore will be judged harshly by the workers.

I will continue to take action within our government in the interest of these workers and I have full confidence in the leadership of our Prime Minister.

* * *

● (1410)

[*English*]

NORA BERNARD

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, Canada experienced a deep loss in late December with the death of renowned Mi'kmaq activist Nora Bernard at her home near Millbrook First Nation, Nova Scotia.

Nora Bernard was a trusted leader in her community. She was highly respected by everyone who knew her and deeply loved by her family and friends.

She became a champion for her people when she launched a class action lawsuit on behalf of survivors of abuse at residential schools. Her efforts were instrumental in getting a national settlement for an estimated 79,000 survivors.

Survivors of the horrors of residential schools will never forget this courageous woman, and all of us will remember her determination and dedication to her community.

Mi'kmaq spiritual leader Noel Knockwood said that she made a tremendous contribution to Canada as a whole by standing up for liberty, justice and freedom.

All Canadians should be proud of her tremendous achievements in the face of overwhelming adversity.

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[*Translation*]

ALZHEIMER'S DISEASE

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, January is Alzheimer's Awareness Month. In Quebec, 105,600 people have Alzheimer's disease. At present, the cause of neurodegenerative disease is unknown, and there is no effective treatment to keep it from progressing. Unless a cure is found, it is estimated that 750,000 people will have Alzheimer's by 2031.

Researchers are optimistic, however, about cellular therapy, early diagnosis and especially the possibility that a vaccine could be available within four or five years. These encouraging developments represent hope for relief for the families and the million natural caregivers in Quebec whose lives are turned upside down and who are too often worn out by this disease.

The Bloc Québécois pays tribute to all the volunteers who do such a remarkable job caring for people with Alzheimer's and continues to call for adequate support measures on their behalf.

* * *

[*English*]

ACADIANS

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I would like to take a moment today to commemorate the 250th anniversary of the deportation of the Acadians from Prince Edward Island.

In the mid-1700s, Île St-Jean, as Prince Edward Island was then known, was home to several thousand Acadian residents. When the British gained control of the island in 1758, they deported at least 3,000 Acadians. Two ships, the *Duke William* and the *Violet*, which were carrying deported Acadians, sunk off the coast of France. Seven hundred lives were lost. To avoid deportation, approximately 1,000 to 1,500 Acadians escaped to the province of Quebec, the province of New Brunswick or hid in more remote parts of Prince Edward Island.

The Acadians showed remarkable resilience in the face of these hardships and some eventually returned or stayed in Prince Edward Island. Now up to 25% of Prince Edward Island residents are extremely proud of their Acadian heritage.

Please join with me in remembering the expulsion of the Acadians from Prince Edward Island and from across the Maritime provinces. I hope that by reflecting on this regrettable chapter in Canadian history we can ensure that such tragedies are never repeated.

JUSTICE

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, the soft on crime Liberals are again fighting with each other. Our Conservative government's Bill C-2 imposes tough new mandatory minimum sentences for gun-related crimes. Even the Liberal Premier of Ontario has demanded that the Liberal dominated Senate finally pass the bill to make our streets and communities safer.

Yet, after almost two years of obstruction and delay, what is the response from the Liberal opposition leader? He says he will not help. Shameful, Mr. Speaker.

For years Canadians of many different backgrounds have demanded action on gun crime. Bill C-2 delivers that action. Yet, the Leader of the Opposition and his cronies in the Senate continue to play political games while the violent crime rate continues to rise.

Liberal stonewalling is becoming a national disgrace. Canadians want action and they want it now. Why will the Liberal leader not listen to Dalton McGuinty? Why will he not listen to Canadians?

* * *

● (1415)

NEW BRUNSWICK HIGHWAY ACCIDENT

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, just over two weeks ago seven students from the Bathurst High School and a teacher from the Terry Fox Elementary School in Bathurst, New Brunswick, lost their lives in a tragic accident. They were on their way home from a basketball game when their van collided with a large truck.

Parents, friends and loved ones experienced a terrible tragedy that made news around the world. The Bathurst community and people from all across Canada gathered in a gesture of solidarity. They have all, in their own way, shown their support for the grieving families.

To the families and individuals affected by this tragedy, I wish much courage and love.

The Boys in Red: Javier Acevedo, Codey Branch, Nathan Cleland, Justin Cormier, Daniel Hains, Nicholas Kelly, Nickolas Quinn; and beloved teacher, Elizabeth Lord, will always remain in our hearts.

The Speaker: An agreement has been reached with representatives of all parties.

[*Translation*]

I invite hon. members to rise and observe a moment of silence.

[*A moment of silence observed.*]

ORAL QUESTIONS

[*English*]

AFGHANISTAN

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the government was fully aware of the military's decision to stop detainee transfers back in early November because of evidence of torture. The Minister of National Defence was actually in Afghanistan the very day the transfers stopped, and yet the Prime Minister and his ministers misled the House and Canadians for three months.

Why did the Prime Minister hide the truth from Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that allegation is completely false. The truth of the matter is that what the government revealed in November was the fact that there was credible evidence of a particular case of abuse. That is what the government revealed.

The government does not reveal the cases where there is no abuse because those are simply matters of military operations. The Leader of the Opposition had that information himself and understood it was not to be revealed.

[*Translation*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, then why did he reveal it?

If, for reasons of "operational security", the Prime Minister and his government did not wish to reveal to Canadians that detainee transfers had been suspended, why then did he do so in the course of court proceedings?

How does he explain this obvious contradiction?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the lawyers decided to disclose this information to the court to clearly demonstrate that Canadian forces and government officials, no matter their level, always respect their international and humanitarian obligations.

In this case, all the evidence clearly proves the contrary of what the opposition has claimed.

Our military forces in Afghanistan are doing a very good job while fully respecting their international obligations. We should congratulate them for their work.

● (1420)

[*English*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, information that is good to be disclosed in court should be good to be disclosed in the House.

I will repeat my question. Why did the Prime Minister hide this information from the House and from Canadians for three months?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, for their own legal reasons the lawyers in that case chose to disclose this information principally to once again demonstrate that Canadian troops and Canadian government officials at all levels always respect their international obligations. All the evidence presented to the court indicates that clearly.

We have to repeat what was said in court, that is, that the transfer agreement with the Afghan government remains in force, and when those responsible for transfers in military operations choose to transfer, they continue to have the option to do so when they deem it appropriate.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, on November 22 the Minister of National Defence stood in the House and claimed there had "not been one single, solitary proven allegation of abuse of detainees" in Afghanistan. We now know that a whip was found in an interrogation cell on November 5. Abuse occurred. The detainee transfer was stopped on November 6, while that very minister was in Kandahar.

Was the minister asleep, out of the loop, or did he knowingly withhold information from Canadians and from this House?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, what I said at that time was absolutely true. In fact, on November 14 there was a disclosure made by the Minister of Foreign Affairs to that very effect.

The important part of all of this, and I am surprised that it is lost on a learned legal scholar like the member opposite, is that the policy remains unchanged. The agreement, which was enhanced—that flawed agreement left in place by the previous government—improved our ability to discover these types of issues by increased monitoring. That is what happened. That is why we have improved our ability to do such things. A proactive disclosure was made.

Surely the member is not suggesting that we simply accept every allegation without—

The Speaker: The hon. member for Etobicoke—Lakeshore.

[*Translation*]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, three times in November, the Minister of National Defence boasted about the detainee transfer agreement; however, this agreement was suspended on November 6.

Could he give us a little glimpse of the truth today? Can he tell us when the transfer of detainees to the Afghan authorities will resume?

Even more important, what concrete measures will he take to ensure that Afghan detainees will not be abused or tortured?

[*English*]

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, as the new enhanced agreement as of May 2007 allows for, there is increased monitoring. We do have eyes inside the prison. That allows for the type of discovery of the disclosure that this government proactively made.

I have a question for the member opposite. He seems to have changed his position somewhat and has now focused his concerns greatly on the issue of torture. We know he has said previously, "Sticking too firmly to the rule of law simply allows terrorists too much leeway to exploit our freedoms...To defeat evil" we must "traffic in evils: indefinite detention of suspects, coercive interrogations, targeted assassinations, even pre-emptive war"—

The Speaker: The hon. member for Laurier—Sainte-Marie.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, this morning, the Prime Minister commented on the Manley report, saying that a vote on the Afghanistan mission will not be held until the spring. If the Prime Minister were responsible he would hold the vote as soon as possible. That way he could attend the NATO summit in April with a clear mandate from parliamentarians and he could give the Afghans and the NATO allies a straight answer.

Will the Prime Minister be responsible and hold a vote on extending the Afghanistan mission as soon as possible in order to go to the NATO summit with a clear mandate?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I always appreciate getting advice from the Leader of the Bloc. This is a very important issue. I hope all the parties in this House will take the time to look at the report and all the considerations before making a decision.

● (1425)

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we have read the report.

That said, the Prime Minister's strategy is simple: go to the NATO summit, get 1,000 additional soldiers and stay in Afghanistan. If he does not get an additional 1,000 soldiers, the Prime Minister will argue that it is too late for an ally country to take Canada's place.

One way or another, the result is the same. The Prime Minister wants Canada to stay in Afghanistan at all cost. Is that not his intention?

Right Hon. Stephen Harper (Prime Minister, CPC): Not at all, Mr. Speaker. I said earlier today that extending this mission depends on the other combat soldiers sent by the allies. If we cannot get more soldiers, this mission will not be extended.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, dates are critical as regards the issue of detainees. On November 19, the Minister of National Defence said: "I spoke with the Chief of the Defence Staff this morning. We are in fairly regular contact."

As for his colleague, the Minister of Foreign Affairs, he said, on November 14: "This agreement is proof that the process is working." The process is working well? Then we learned that they stopped transferring detainees on November 5.

Why did the minister say in this House that the process was working, when the government had put an end to that process? Is this not precisely what is called misleading the House?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, the hon. member is answering his own question. Clearly, agreements are working, as my colleague, the Minister of Foreign Affairs, indicated to the House of Commons, on November 14. The reason why this agreement is working is of course because of the current ability of Canadian Forces to make operational decisions on the ground in Afghanistan.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, this government is constantly saying that it is being transparent regarding the issue of Afghan detainees.

If that is the case, will the minister tell us today what is happening with Afghan detainees right now? Are they being handed over to Afghan authorities? To Americans? To other NATO nations? What is happening to these detainees right now? Who is detaining them? Are they being held by Canadians at the Kandahar base? It is time the minister told us the truth about this issue.

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, clearly, political decisions are made by the Government of Canada, but decisions on the ground, during military operations, are made by the chain of command. Obviously, the government supports these decisions, but on the ground the decisions relating to the transfer of detainees are made by the military.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, Canadians were never officially informed that the government had suspended the transfer of prisoners, nor was this House. The Prime Minister is hiding behind so-called operational secrecy, but the Americans announce their captured and transferred prisoners in press releases. Everyone knows they continue to transfer prisoners.

Why does this government refuse to tell the truth and insist on keeping Canadians in the dark?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government took the initiative of disclosing a case of abuse when there was credible evidence. In other cases, naturally, we follow a very different procedure.

I am surprised that the Leader of the NDP would suggest that we follow the American example, which is to transfer prisoners to Guantanamo Bay. That is not the policy of this government.

● (1430)

[*English*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, even the Bush administration, the practices of which this government usually likes to copy, makes it fully public and evident when transfers have taken place.

The fact is that the government does not know what it is doing on this issue and will not tell the truth about it.

Let us follow the sequence. First the government said we did not need a new detainee agreement and then said it had to be changed. Then it dismissed allegations of torture. Then it acknowledged them. Then it said that the detainee policy was working. Now we learn that the government withheld information and stopped the transfers but is opening the door again.

When are we going to get the truth and stop—

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have already said, the transfer agreement with the Afghan government remains in place and military and other government authorities can avail themselves of that transfer agreement when they think it is appropriate. That is why the government has not announced that there will not be transfers: because there could well be.

Once again the leader of the NDP is now suggesting that we adopt the policy of the Bush government, which involves transferring detainees to Guantanamo Bay. To be clear, that is not the policy of this government.

[*Translation*]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, last week, the Minister of National Defence said that he was not aware that on November 5, 2007, the Canadian Forces had stopped transferring detainees to the Afghan authorities.

This will not do. Just where was this minister on November 5? In Afghanistan. Who is going to believe that the military there told him nothing? No one.

The fact is that at the very time he was insulting us while we asked him legitimate questions about this, the Minister of National Defence knew full well that these transfers had stopped.

What is he waiting for to hand in his resignation to the Prime Minister? It is the only cure for his chronic Pinocchio syndrome.

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, no one is saying I have no information about the operation on the ground in Afghanistan, except maybe the Liberal members.

As for this decision, I repeat, as the Prime Minister has said, the military in the field in Afghanistan are responsible for operational decisions and our government is responsible for political decisions.

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, he said he did not know, but now he does.

[*English*]

The minister was quick to his feet to attack my patriotism last November, but last week when the Prime Minister's Office claimed the military was keeping his government in the dark, he suddenly went missing in action instead of taking a stand for our troops.

The minister knew the policy changed because he was in Afghanistan when it happened. He knew he was misleading the House last November when he answered questions on this file and he will have to pay for it.

On the other hand, here is what we want to know: where are the prisoners right now? What have we done with them?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): More empty words and more unfounded allegations, Mr. Speaker. I see that the break has not tempered the member opposite at all in his flirtations with the truth.

Clearly what has happened here is an operational decision which impacts on the timelines of when prisoners are transferred. It is in place following the agreement that was improved upon, the failed agreement, the flawed agreement that we picked up when took government and that the hon. member's government left behind.

That agreement remains in place. It allows for discretion on the transfers. We are not going to talk about the details of this because it only helps the Taliban. Is that what the member wants?

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, on November 15, 2007, the Minister of Foreign Affairs said in the House, "What we now have is an agreement that meets the highest standards". This was a full 10 days after—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Richmond Hill has the floor.

Hon. Bryon Wilfert: Unfortunately, Mr. Speaker, the applause is premature. This was a full 10 days after the Canadian Forces had stopped transferring detainees to the Afghan authorities because evidence of torture had been found.

The minister rose in the House and assured us the agreement was working when he knew full well that what he was saying was not the truth. How can the minister justify a blatant misrepresentation of the facts? How can he explain not telling the truth?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, the policy is in place. The agreement is in place. It is an improved agreement. It allows for greater numbers of visits. It allows for greater disclosures, which is exactly what happened when the Minister of Foreign Affairs stood in the House of Commons on November 14 and disclosed that there was an issue of great concern. This exemplifies why the agreement was put in place. It replaced the flawed, inadequate agreement left by the previous government.

The operational details and discretions remain in the hands of the military. We make the policy, and we support our military.

● (1435)

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, let us try again. My question is for the Minister of Foreign Affairs.

On November 15, the minister told the House that he had spoken with his Afghan counterpart. During that discussion, did he tell the Afghan minister of foreign affairs that our country no longer transferred detainees because of evidence of torture? Did he inform NATO and the United States? Why were our operational partners kept in the dark?

How can Canadians trust the minister when he has shown such incompetence on our mission in Afghanistan?

[*Translation*]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I would like to thank my colleague for that question, because it gives me an opportunity to explain once again that last May we improved on an agreement the Liberal Party had made. Under this improved agreement, I contacted my foreign affairs counterpart and told him that we had found a possible case of abuse. The Afghan foreign minister investigated, and on December 31, he confirmed that he was conducting a full investigation into this case.

I can assure the House that the person who was found in the prison in Afghanistan is now—

The Speaker: The hon. member for Trois-Rivières.

MANUFACTURING AND FORESTRY SECTORS

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, Quebeckers agree that the Conservative plan to help the manufacturing and forestry sectors is not good enough. Despite the urgency of the situation, the government has told us to wait for the next budget even though according to its own budget forecast, it has the means to act.

When will the government put an end to its shameless blackmail and improve its plan to help workers in the forestry and manufacturing sectors?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, a number of things have happened since the last time we members of this House got together.

First, the government announced over a billion dollars to help the forestry sector. Second, Quebec got an additional $400 million in equalization payments. Add to that the $12 billion put forward in the economic statement that the government passed. Members may recall that the Bloc Québécois opposed it. Last, with respect to softwood lumber, an issue that the Bloc Québécois took a long time to act on, $25 million has been—

The Speaker: The hon. member for Trois-Rivières.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, with over $11.6 billion in surpluses, this government wants to hand over a paltry $1 billion over three years to help workers in the forestry and manufacturing sectors while handing out over $900 million in tax cuts and credits to its friends in big oil.

How can the government justify giving millions of dollars to companies worth billions while refusing to provide immediate assistance to the thousands of workers who have been hit by industry crises and massive layoffs?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, since coming to power, the government has taken action through programs to help older workers, programs that enable people to retire early.

Some of the measures announced by my colleagues target the forestry and manufacturing sectors. The amount we announced is in addition to that. And that is not all we are doing. The Bloc Québécois refused to support us in allocating $12 billion to Quebeckers over the next five years.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, the per capita distribution proposed with respect to the crisis in the manufacturing and forestry sectors is totally unfair. While the crisis is hitting mainly Quebec, the government chose a calculation method that will penalize Quebec instead of helping it.

How can the government justify the per capita calculation method it is planning to use, when it knows full well that this will mean that Alberta will be getting more money than Quebec?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): These are more erroneous statements, Mr. Speaker. It is important to recall that the government acted with the communities in mind. The fact is that, when we sit down with municipal leaders, they tell us that it is time that we walk the talk. For example, the mayor of Shawinigan spoke out to call on the members from the Bloc Québécois to effectively support this measure.

I have met with a number of mayors, and all demanded action. More importantly, they demanded that the Bloc Québécois support the government.

● (1440)

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, my question is for the Minister of the Economic Development Agency of Canada for the Regions of Quebec, who is from Quebec. How could he approve an arrangement that will see Alberta receive more money per capita than Quebec, when it is in Quebec that the manufacturing and forestry sectors are the hardest hit?

How could that minister go for such an arrangement?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I know that my hon. colleague, the Minister of the Economic Development Agency of Canada for the Regions of Quebec, is capable of speaking for himself, but I would like the members from the Bloc Québécois to recognize what this government and this minister have done over the past 18 months to support the economy in Quebec and to create jobs.

One thing is sure: no jobs have been created and no projects have been approved by the Bloc Québécois.

* * *

[*English*]

CHALK RIVER NUCLEAR FACILITIES

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, on December 10, despite a looming worldwide isotope shortage, Canadian officials told European suppliers not to increase their production. The very next day the Minister of Health claimed to Canadians that he was trying to find isotopes, but what was he really doing? He was refusing a direct offer of help and he was again misleading the House about this and refusing to tell the truth. Why?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, that is categorically false. It is completely untrue.

The very week that I and my colleague, the Minister of Natural Resources, found out that the scheduled shutdown would be prolonged, we in fact did contact the company officials to whom the hon. member referred. We in fact did scour the world for replacement isotopes.

The fact is there was a 65% decline in isotopes in this country at the time when Parliament reopened the Chalk River reactor. Parliament was right. We were right to intervene, and that was for the benefit and health and safety of Canadians.

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the government did not take immediate action; it waited 19 days. While medical wait times grew longer because of the shortage of isotopes, the government ignored available solutions.

As I said, it waited 19 days before contacting other international isotope suppliers. Even worse, it told them not to increase their production.

The Minister of Health misled this House and Canadians. Why?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, that is the same question and it will be given the same answer.

When I was informed of the problem, we took action. Parliament decided to act and we made the right decision to safeguard the health of Canadians. I support this decision. The leadership on this side of the House is such that we looked after the health of Canadians. It was the right decision.

[*English*]

Mr. Omar Alghabra (Mississauga—Erindale, Lib.): Mr. Speaker, in yet another example of one more ministerial incompetency, the natural resources minister has proved he is just as clueless as his cabinet colleagues. He was asleep at the switch leading up to the Chalk River fiasco.

Here is what the Prime Minister said. "No actor is blameless in this affair". That includes the minister.

Where is the accountability? Why did the government fire the nuclear regulator instead of firing the natural resources minister?

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, the facts remain that on this case the former president of the Canadian Nuclear Safety Commission had a number of options available to her through the Nuclear Safety and Control Act. She was issued a cabinet directive. She ignored all those unnecessarily and was willing to put the lives of thousands of Canadians in jeopardy. That was unacceptable to the government.

We brought a bill before Parliament ultimately and every member of Parliament from every party supported it because it was the right thing to do. Parliament overruled the former president of the Canadian Nuclear Safety Commission.

● (1445)

Mr. Omar Alghabra (Mississauga—Erindale, Lib.): Mr. Speaker, only that minister can take pride in the fact that Parliament has done his job. If he had done his job, we would not have had to rule on the matter in the House.

The only action that the minister did was to fire the independent safety regulator. He fired her without providing cause. He fired her in the dark of night before she was to testify before a committee. Obviously the government does not want her to tell Canadians the truth. What is it hiding?

Why would the government not call for an independent review of the firing? What is it afraid of?

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, all the facts are on the table. Every member of the House had an opportunity to question myself, the Minister of Health, officials from the Canadian Nuclear Safety Commission and AECL. We stayed here until every last question was answered. I submitted myself before a parliamentary committee. We answered all those questions.

The facts remain that the former president of the Canadian Nuclear Safety Commission chose not to act even though there were a number of options available to her. There had to be accountability. The government has acted decisively.

* * *

JUSTICE

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, Canadians are really seeing the true colours of the Liberals when it comes to being tough on crime.

Last week Premier Dalton McGuinty met with the Liberal leader and pleaded with him to ask his Liberal senators to speed up the passage of the tackling violent crime act. The Leader of the Opposition said, no.

Premier McGuinty said:

> Now it's winding its way, in a very slow fashion, through the Senate. The Liberals have some influence over that. We want that to receive passage.

Will the Minister of Justice please explain to the Leader of the Opposition why the bill should become the law of the land?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I thank the hon. member for all the work he did to get the tackling violent crime act through the legislative committee.

Canadians know that we are the party that is tough on crime and that we will stand up for innocent victims of crime.

On this one, I agree with Dalton McGuinty. I think the Leader of the Opposition's refusal to urge his colleagues in the Senate to pass our crime legislation is another example of the Liberal approach to crime, which is to see nothing, hear nothing and do nothing. That is not good enough for Canadians, and we will not put up with it.

* * *

[*Translation*]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, because of the support from the Bloc Québécois and the Liberals, the Conservative government is still free to use economic blackmail on the families of workers. Making the $1 billion conditional on the budget passing is an outrage.

How come the big oil companies are getting cash, and the families of workers are getting blackmailed?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, my hon. colleague, who has also sat in the Quebec National Assembly, must surely know that there is a process to follow for appropriating new amounts of money. This process is called a "budget". That is when we will allocate the $1 billion to the communities that are in desperate need.

[*English*]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, our question for the government is quite simple.

Why is it when it comes time to give billions of dollars to its friends in the oil companies, it is cash on the barrelhead and when it comes time to give a little money to help working families in the forestry and manufacturing sectors who have lost their jobs, it is more and more blackmail?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, when we speak of the manufacturing industry, let us speak of the auto sector and the record of the government.

The government has been working on all the issues that affect the auto industry ensuring, through the leadership of the Minister of Finance and the Prime Minister, that we have solid fiscal policy, but beyond that, dealing with issues such as regulatory harmonization with the Americans, dealing, as the Minister of the Environment is, with the question of a stringent North American fuel standard and dealing with infrastructure issues.

It is a record to be proud of and it is yielding results for Canadian workers.

● (1450)

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, more than 130,000 manufacturing jobs have disappeared in the past year under the Conservative do nothing approach.

With the high Canadian dollar, record energy prices and the downturn in the United States, the situation will only get worse.

Will the finance minister take off his blinders and concede that his government must respond with targeted assistance to those sectors that are hardest hit?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, it is essential that we have sound fiscal policy and fiscal management, which is what the government has created. We have the most solid fiscal finance record anywhere in the G-7. Canadian unemployment is at a 33 year low, taxes are low and industrial confidence is high in this era.

For sure, as the American economy has softened, there will be structural adjustments but we are poised in this country to deal with that and to deal with it because of the sound fiscal finances that we have. That is something in which all Canadians should take pride.

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, all the statistics the minister quoted are the ones he inherited from the previous government and then proceeded to empty the kitty, and Canadians know it.

Eighty per cent of Canadians believe the political leadership should be doing more to help prevent an economic slowdown in this country. It is not only manufacturing jobs. It is forestry jobs, jobs in the tourism industry and jobs in the livestock industry.

When will the government take action to help Canadians who are losing their jobs and their livelihoods and, in some cases, particularly in the auto sector, their homes?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, it is very clear that when we look at the Canadian economy there are certain structural adjustments that are being made, specifically in the manufacturing sector.

However, it is important that we have responsible statements in the House because employment in the country continues to be at an all time high. In those areas where the structural adjustments are taking place, we are creating high quality employment in the area of computers, in the area of public administration and in the area of construction. More jobs are being created than jobs that are being lost.

We will continue to have a sound economic record in this country.

[*Translation*]

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, clearly the government will not help the struggling industries because it has already spent all of its money on tax credits for political reasons and on the 13.3% increase in spending over two years, which is unbelievable.

Is it not completely incompetent to spend left and right when everything is going well, and not to leave a cent to help Canadians when the economy takes a downward turn?

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, it is rather ironic that the hon. member stands in the House and raises that sort of a question. We are talking about jobs.

I would add to the hon. industry minister's comments. Canada's economy created more high paying jobs in 2007 boosting the quality of employment by the most since 1999. According to CIBC, the employment quality index jumped by 2.8%.

The government is reacting to the concerns of Canadians who are losing jobs. We are building on that strength.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, this is not the time for silly PMO speaking notes.

The member should understand that tonight at dinner real Canadians will be troubled about the economy. The stock markets are in turmoil. Last month, far from adding to jobs, the Canadian economy lost 51,000 private sector jobs in a single month. The manufacturing sector is losing tens of thousands of jobs every month with forestry not far behind.

The minister just sits there and smirks. Is this a policy of laissez-faire or an attitude of "I don't care"?

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I might remind the hon. member that we are in the second longest period of economic expansion in our history and that is thanks to this finance minister and this government.

I might also suggest to the hon. member that he might pay a little more respect to the CIBC's numbers because those are the numbers that I was quoting. Perhaps he should talk to his former colleagues about the strength of this economy.

● (1455)

[*Translation*]

CHALK RIVER NUCLEAR FACILITIES

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, in the Chalk River nuclear reactor affair, the government waited 19 days after the reactor shut down before looking for other sources of isotopes. During those 19 days, the government could have been seeking ways to avoid a shortage. Yet, instead of admitting its mistakes, the government chose to blame the president of the Canadian Nuclear Safety Commission.

Will the minister admit that he is trying to place the blame on others, even though he is ultimately responsible for this fiasco?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I would like to reiterate once again that it is false to say that Health Canada or the government failed to act. Once I had the information, I took action. The same is true of my hon. colleague, the Minister of Natural Resources.

Once it was clear there was a problem, we contacted the other companies and firms in Europe.

[*English*]

We acted because we wanted to ensure the health and safety of Canadians was protected. We acted quickly and we acted in a situation where 65% of the isotopes that were—

The Speaker: The hon. member for Beauharnois—Salaberry.

[*Translation*]

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, France, Belgium and the Netherlands could have supplied medical isotopes to Canadian distributors while we waited for the Chalk River reactor to meet safety standards. However, that probably would have caused Atomic Energy Canada to lose market shares.

Will the government admit that it was more interested in protecting commercial interests than acting in a safe, responsible manner?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, that is false. The reactor in Belgium does not have the capacity to produce isotopes. Europe does not have this capacity.

[*English*]

It is a fact. The capacity did not exist. We did ask. We asked each company in Europe and companies on other parts of the globe. We were scouring the globe.

We acted to restore the NRU reactor because we knew that if we did not do so the health and safety of Canadians and other citizens around the world would be affected. We acted, we took leadership and we are proud of that.

FOREST INDUSTRY

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, the government's support for forestry is $1 billion too little and two years too late.

Workers and communities were shocked to hear that the fund will be handcuffed until June. The government has the funds in hand to help today. Why are hurting families being held hostage by personal agendas?

If the Prime Minister truly wants to help forestry workers, why will he not make this money available right now?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, I am glad the hon. member is pleased with the community trust fund that has been put forward by this government. I am glad that he sees that it will provide the opportunity for structural adjustments across our country.

Of course, this will require agreement with the provinces that are affected. We certainly intend to work forward with all of the premiers to ensure that the trust is put in place in a way that is effective and timely. Hon. members should not make any assumptions about when that will happen.

* * *

INTERNATIONAL TREATIES

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, as part of our promise for a more open and transparent government, we committed to bringing international treaties before the House of Commons to give Parliament a role in reviewing them. The Liberals were against this, wanting these important decisions to be made by a select few.

Would the Minister of Foreign Affairs inform the House and, of course, the Liberals as well, how this will benefit Canadians?

[*Translation*]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I wish to inform the House that we have fulfilled another election promise today. Effective immediately, any international treaty we sign will be tabled in the House of Commons.

This will allow Canadians and parliamentarians to debate these treaties. This is a testament to democracy and to the fact that our government believes in transparency and democracy. We are proud to have an open and transparent government, unlike the previous government.

* * *

[*English*]

CHALK RIVER NUCLEAR FACILITIES

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, the Minister of Natural Resources said that on December 3 he knew of an impending medical isotope shortage. He claimed that the lives of cancer patients were at risk and that Parliament was put in a literal do or die situation.

We now know that other isotope suppliers acted quickly to mitigate the shortage of radioisotopes. Belgium heard about it near the end of November and increased its supply to offset any potential threat to human life.

Why did it take until mid-December for the minister to even ask if the world's isotope producers could help? Was this a manufactured crisis?

● (1500)

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): No, Mr. Speaker, that is completely false yet again. In fact, our supply of radioisotopes was down by 65% at the time that Parliament acted. That is where we were just in that very week and it was going to get worse.

We already had hospitals that were stopping treatments because radioisotopes were not available. The Victoria Hospital in British Columbia was on the verge of shutting down, as well as other hospitals in the Atlantic provinces and in Ontario. We acted for the health and safety of Canadians because the supply was not there.

We took leadership. We take responsibility and accountability but we did it for the health and safety of Canadians.

* * *

[*Translation*]

TRANSPORT

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Conservatives are untrustworthy. The Minister of Transport, Infrastructure and Communities is refusing to provide $1.5 million to maintain the ferry service between the Magdalen Islands and Prince Edward Island. Not only is the Conservative's inaction on climate change making the banks of the islands disappear and threatening the existence of the Magdalen Islanders, but the minister is also preventing their ferries from running.

Does the minister want to sink them entirely? Why is the minister refusing to provide the necessary money to help the Magdalen Islanders?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I am somewhat surprised at the NDP's question.

Nevertheless, I must admit that the department has already conducted a feasibility study. This study was conclusive.

I have contacted Mayor Arsenau and I told him that it was too late to do anything this year, but next year we could certainly work on acquiring the necessary funding to ensure year-round service. I told him this would allow for continuing development of the business plan.

* * *

MANUFACTURING INDUSTRY

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, what is the government saying to the workers laid off—

Some hon. members: Oh, oh!

The Speaker: Order. We have to be able to hear the question.

The hon. member for Honoré-Mercier has the floor. I am asking for order in this House, please.

[*English*]

Mr. Pablo Rodriguez: Mr. Speaker, they are all excited today. They missed me.

[*Translation*]

What is the government saying to the workers laid off by Belgo in Trois-Rivières, Donnacona in the Quebec City area, and Bowater in Gatineau?

It is saying, "Since you no longer have jobs or any income, wait. Wait for the budget; wait for the elections; wait." Why does it say that? Because the government wants to play petty politics at the expense of the workers. It is a heartless government.

What is it waiting for to take action? Let it introduce its bill now and we will pass it.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I understand that my hon. colleague may have asked a question because the Writer's Guild is presently in a lock-out.

Having said that, my hon. colleague, the Minister of Industry, has demonstrated that we have some flexibility with regard to this matter. I would point out again that it is important to help communities. That is in addition to the work that this government has already undertaken.

* * *

[*English*]

INTERNATIONAL TRADE

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, I would like to congratulate the Minister of International Trade on his announcement that Canada has now concluded a free trade agreement with Peru.

This agreement is excellent news for Canadian exporters since it will provide greater market access for Canadian agricultural products, including wheat, barley and some boneless beef cuts, paper products, machinery and equipment in Peru.

However, many Canadians have raised concerns about labour rights in South America. Could the Minister of Labour please tell the House what this agreement will mean for Peruvian workers?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, when we have a free trade agreement with any country, we have a parallel agreement on labour rights. When I went to Peru I met with my counterpart, Ms. Pinilla, and we obtained an agreement on labour rights.

The agreement means that Peru now agrees on a declaration of fundamental rights, as well as the abolition of child labour and the elimination of discrimination. Also, we ascertained that Peru is committed to providing protections for occupational health and safety at work and, if it does not respect what it signed, there will be penalties.

● (1505)

[*Translation*]

MANUFACTURING AND FORESTRY INDUSTRIES

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, by creating the community development trust, the Prime Minister is admitting that a major crisis has been plaguing the manufacturing and forestry sectors for far too long now. He is acknowledging that these industries cannot make it on their own, despite the efforts made by the companies and the workers. His over-confidence in market forces being able to resolve everything probably came from magical thinking or the appeal of political gains.

Why does the Conservative government not act immediately, instead of staging an electoral strategy that will take months to come into effect?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I am pleased to answer my colleague's question. We are talking about a very significant amount of money. First and foremost, this requires approval from the provinces, or an agreement with them.

We already know that New Brunswick has signed this agreement with the federal government. I would like the hon. member to know that we are flexible on how to proceed. In this case, I think we would be able to proceed with the communities that are in great need.

* * *

[*English*]

PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of the Hon. John van Dongen, MLA, Minister of State for Intergovernmental Relations for British Columbia, and the Hon. Jim Kenyon, MLA, Minister of Economic Development for Yukon.

Some hon. members: Hear, hear!

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 73 petitions.

* * *

COMMITTEES OF THE HOUSE

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Foreign Affairs and International Development.

In accordance with its order of reference of Tuesday, November 20, 2007, your committee has considered Canada's mission in Afghanistan and agreed on Thursday, December 27, 2007, to report it without amendment.

* * *

BISPHENOL A (BPA) CONTROL ACT

Mr. Paul Dewar (Ottawa Centre, NDP) moved for leave to introduce Bill C-497, An Act to prohibit the use of bisphenol A (BPA) in specified products and to amend the Canadian Environmental Protection Act, 1999.

He said: Mr. Speaker, I am pleased to present my private member's bill to ban the use of bisphenol A in consumer products.

Bisphenol A is a known hormone disrupter and is something that we should take out of products that are used by children, women and people in general.

My bill would prohibit the use of BPA in food and drink packaging, including food cans, beverage cans, pop bottle tops and plastic containers, including bottled water. I believe Canadians families and some Canadian manufacturers are far ahead of government on this because they have done it already. This shows leadership by way of listening to Canadians in general. I look forward to having the bill passed.

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

* * *

● (1510)

PETITIONS

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, it is my pleasure to present this income trust broken promise petition on behalf of Mr. Don Davidson of Kelowna, B.C. who remembers the Prime Minister boasting about his apparent commitment to accountability when he said that the greatest fraud was a promise not kept.

The petitioners remind the Prime Minister that he promised never to tax income trusts but that he recklessly broke that promise by imposing a 31.5% punitive tax which permanently wiped out over $25 billion of the hard-earned retirement savings of over two million Canadians, particularly seniors.

The petitioners, therefore, call upon the Conservative minority government to, first, admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions; second, to apologize to those who were unfairly harmed by this broken promise; and third, to repeal the punitive 31.5% tax on income trusts.

[*Translation*]

THE ENVIRONMENT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I am presenting today a petition that I am very pleased to table in this House. It was signed by more than 750 young people from the Thérèse Martin high school in Joliette. During their training, these students have become aware of today's environmental challenges and the actions that citizens and governments alike can take to make a difference, especially with respect to climate change.

These young people from the Lanaudière region have taken the time to raise their own awareness, to mobilize, and to circulate and sign this petition calling on the federal government, this Conservative government, to assume its responsibilities and, please, honour the agreement concerning the Kyoto protocol, which Canada has already signed. I am very proud to present this petition.

[*English*]

JUSTICE

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, I am pleased to table in the House a petition, one of a number of petitions I have tabled over the years that deals with the issue of date rape drugs. This is an issue that I have pushed in this House a number of times calling on the government to have tougher penalties against those who use date rape drugs to abuse women.

The petitioners are mostly from the Fraser Valley, Abbotsford, Mission and Chilliwack areas.

The petition was actually given to me by a constituent who used to live in Abbotsford who was a victim of a coward who used a date rape drug to abuse her. She collected these signatures through a lot of hard work with a good friend of hers as part of her recovery from what she is going through as a consequence of her attack. She is an incredible woman. I know she is watching and I am very proud of what she has done and I table this on her behalf.

AGE OF CONSENT

Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, it is my privilege today to table, on behalf of constituents in my riding, a petition asking that Parliament take all steps necessary to protect our children by raising the age of consent from 14 to 18 years old.

I realize that this is a very meaningful issue for people in my riding and it is my pleasure to present the petition.

CANADA POST

Mr. Mervin Tweed (Brandon—Souris, CPC): Mr. Speaker, I am pleased to present a petition from people in New Brunswick and in Winnipeg. I will have many more to present in the following days. The petitioners support Bill C-458, An Act to amend the Canada Post Corporation Act (library materials). The bill would protect and support the library book rate and extend it to include audio-visual materials.

● (1515)

AUTISM

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am pleased to present a petition today on behalf of 150 people from my riding in support of creating extra training in our universities across Canada for autism spectrum disorder. The petitioners ask that members of Parliament look at amendments to the Canada Health Act that include more intense behavioural intervention as well as applying the principles of applied behaviour analysis.

JUSTICE

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, I am pleased to present two petitions to the House today. The first one is from a number of constituents in my riding of Oxford.

The petitioners request the government assembled in Parliament to immediately strengthen the Canadian Criminal Code to ensure that our nation's women and children are protected from the perpetrators of violence and sexual exploitation.

CRIMINAL CODE

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, the second petition is from people from across southwestern Ontario. The petitioners request that Parliament consider restoring to the Criminal Code the prudence it held prior to 1968 by removing the words "after becoming human beings" from subsection 223(2).

FIREARMS REGISTRY

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, constituents in my riding are continually bringing in petitions and continued to do that over the Christmas break to request that all members of the House of Commons support legislation to abolish the long gun registry. I would like to present those today.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the following questions will be answered today: Nos. 103, 105, 109, 110, 112, 114, 115, 117, 118, 120, 125, 136, 141, 145, 146, 152, 153, 162 and 163.

[*English*]

Question No. 103—**Mr. Michael Savage**:

> How many national, provincial or local literacy organizations were funded by the federal government for the period between 2000 and 2006, and what was the amount of money given to these organizations in each of those years?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the amounts of funding provided to national, provincial and local organizations in the years in question are as follows:

1999-2000: $29,587,676 *
2000-01: $34,723,480 *
2001-02: $43,208,315 *
2002-03: $47,063,357 *
2003-04: $42,763,117 (divided among 365 organizations)
2004-05: $32,271,910 (divided among 224 organizations)
2005-06: $33,359,333 (divided among 239 organizations)
2006-07: $16,880,161 (divided among 147 organizations)**

* The distribution of funds by number of organizations is not available for the earlier years.

** Please note that 2006-07 was the first adult learning, literacy and essential skills program, ALLESP, call for proposals and, as such, was launched later in the year than calls for proposals under the former national literacy program. Therefore, fewer projects began and less money was spent in the 2006-07 fiscal year. The funding amounts for some of these projects will, as a result, appear under the 2007-08 fiscal year spending.

The government honoured all signed agreements and commitments with respect to the local and regional priorities agreed upon between the ALLESP and the provinces and territories in 2006-07. It is important to note that no projects were cancelled.

Question No. 105—**Ms. Olivia Chow**:

With regard to the Universal Child Care Benefit (UCCB) and the government's child care initiatives: (*a*) how many families living below the national low income cut-off are receiving the UCCB; (*b*) if the UCCB were delivered through the Child Tax benefit as opposed to as a taxable benefit, how many families would no longer live below the low income cut-off; (*c*) how many child care spaces would be provided if the taxes the government collected from families receiving UCCB were re-invested into creating child care spaces; (*d*) how many child care spaces have been created each year from 2002 to 2006 through the multilateral framework agreement, the bilateral agreements, and agreements-in-principle since the agreements were signed; (*e*) how many spaces will be created in 2007 and 2008 through these agreements; (*f*) why does the government continue to send child care funds to the provinces when many of these provinces have not submitted reports on how funds received have been spent, and how many child care spaces have been created as a result of federal investments; (*g*) how many child care spaces have been created through the Child Care Spaces Initiative in each province since the program's inception in 2006; (*h*) how many families are collecting the UCCB; (*i*) what has been the enrolment rate on a monthly basis since the program was announced; (*j*) what is the breakdown of income levels, in numerical and percentage terms, of UCCB recipients; (*k*) with regards to recipients' marital status, how many are single and how many are married or in common law relationships; (*l*) what is the regional breakdown of those enrolled to receive the UCCB; (*m*) how many women and how many men are the recipients of the UCCB in their household; (*n*) in what percent of families registered to receive the UCCB was the recipient the lower income earner in that household; (*o*) what government studies have been done on the use of the UCCB since its inception in 2006, listing any such studies, including title, author, date of publication and a brief synopsis of its conclusions; (*p*) what polling has been done on the use of the UCCB since its inception in 2006, listing any such polling, including title, author, date of publication and a brief synopsis of its conclusions; and (*q*) how many child care spaces have been created by the UCCB, by province?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, in response to (a), all families with children under the age of six, including those families living below the low income cut-off, are eligible to receive the universal child care benefit, UCCB. 2005 data from the Survey of Labour and Income Dynamics indicates that 263,000 families with children under the age of six were living below the after tax low income cut-off.

In response to (b), the UCCB is intended to help offset the costs of whatever form of child care families choose.

In response to (c), the UCCB is not intended to support the creation or provision of child care services and that is why the government is transferring an additional $250 million per year to the provinces and territories to help support the creation of new child care spaces.

In response to (d), the most recent data available show that the number of regulated child care spaces in Canada increased from 370,000 in 1992 to over 811,000 in 2006.

In response to (e), since 2004, federal transfers for children's programs have increased and provinces have made their own direct investments. It is expected that the number of spaces will continue to rise accordingly.

In response to (f), provinces and territories have primary responsibility for programs and services for families with young children, including child care, and are accountable to their citizens for their investments.

In response to (g), budget 2007 introduced two new measures to support the creation of child care spaces: an investment tax credit for businesses that create spaces for the children of their employees; and a $250 million per year transfer to provinces and territories to support the creation and expansion of child care spaces. It is expected that the number of spaces will rise as a result of these investments.

In response to (h), in October 2007, approximately 1,473,000 families received the UCCB for approximately 1,967,000 children under the age of six.

In response to (i), following is the number of recipient families on a monthly basis 2006: July, 1,384,000; August, 1,394,000; September, 1,412,000; October, 1,430,000; November, 1,442,000; December, 1,445,000; 2007: January, 1,452,000; February, 1,450,000; March, 1,460,000; April, 1,464,000; May, 1,467,000; June, 1,462,000; July, 1,469,000; August, 1,471,000; September, 1,472,000; and October, 1,473,434.

In response to (j), the universality of the UCCB means that the demographic composition of recipients mirrors the composition of the general population of families with children under six.

In response to (k), the UCCB provides direct financial support for all families with young children regardless of income level, family type, marital status, where they live or whether one or both parents work outside the home. A breakdown of family type for UCCB is not available although, according to census 2006 of the 1,486,065 families with children under six, 955,915 were married couple familes, 282,755 were common law families and 247,400 were lone parent families.

In response to (l), in October 2007, of 1,473,434 families receiving the UCCB, 21,265, or 1.4%, are from Newfoundland and Labrador; 6,150, or 0.4%, are from Prince Edward Island; 38,127, or 2.5%, are from Nova Scotia; 31,170 or 2.1%, are from New Brunswick; 335,336, or 22.8%, are from Quebec; 576,593, or 39.1%, are from Ontario; 57,617 or 3.9%, are from Manitoba; 49,449, or 3.4%, are from Saskatchewanl 174,148, or 11.8%, are from Alberta; 175,757, or 11.9%, are from British Columbia, 2,507, or 0.2%, are from Northwest Territories; 1,454, or 0.1%, are from Yukon; 2,831 or 0.2%, are from Nunavut; and 1,030 or 0.1%, are people living on "Canadian soil" abroad.

In response to (m), the target population for UCCB is the child, not the parent. Therefore, given the universality of the UCCB, it can be assumed that the demographic composition of the recipients mirrors the composition of the general population of families with children under six.

In response to (n), the UCCB is taxable in the hands of the lower income earner spouse.

In response to (o), the UCCB is a new initiative introduced in July 2006. The federal government has not undertaken any studies on the use of the UCCB since that time.

In response to (p), the federal government has not undertaken any public opinion polling on the use of the UCCB since its introduction in July 2006.

In response to (q), the UCCB is not directly intended to support the creation or provision of child care services although our investments have been used by the provinces to announce the creation of more than 32,000 new spaces.

Question No. 109—**Mr. Wayne Marston**:

> With respect to the creation and implementation of a national, searchable DNA Human Remains Index and a DNA Missing Persons databank: (*a*) what is the government's position on a DNA Human Remains Index and a DNA Missing Persons databank; (*b*) does the government have a timeline to implement a DNA Human Remains Index and a DNA Missing Persons databank and, if so, when; (*c*) does the government plan to bring the issue before Parliament or any of its committees and, (i) if so, when, and to which committees, (ii) if not, why not; (*d*) what studies and evaluations about a DNA Human Remains Index and a DNA Missing Persons databank have been undertaken, requested or commissioned by the government; and (*e*) if studies have been undertaken, (i) what individuals, departments or organizations undertook these studies, (ii) what is the cost of these studies and (iii) what are the findings and recommendations of these studies?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, in response to (a), the Government of Canada supports in principle the creation of a searchable DNA human remains index and a DNA missing persons data bank or index, MPI. The government response to the ninth report of the Standing Committee on Public Safety and National Security states, "the Government is committed to a successful outcome for the ongoing federal-provincial-territorial process, led by the Federal-Provincial-Territorial (FPT) Ministers Responsible for Justice. It is working to reach consensus on the solutions to the legal, jurisdictional and cost challenges that are at play with regard to the establishment of a DNA-based missing persons index (MPI)."

In response to (b),in addition to the comprehensive work being done through the FPT process, the Minister of Public Safety and the Minister of Justice have asked the Standing Committee on Public Safety to undertake a review of the DNA data bank as mandated in legislation. Pending the outcome of the FPT process and the work of the Standing Committee on Public Safety, no timeline has been set for implementation of a DNA MPI.

In response to (c), the Minister of Public Safety and the Minister of Justice have asked the Standing Committee on Public Safety to undertake a review of the DNA data bank as mandated in legislation. The committee may choose to include DNA MPI in its review and recommendations. With regard to subparagraph (i), the Standing Committee on Public Safety sets its own agenda.

In response to (d), three subgroups reporting to an FPT MPI working group have considered issues related to the definition of a missing person, the costs of operating an MPI, and interlinked legal, jurisdictional and privacy questions. The three subgroups have produced reports for consideration by the working group. In addition, a workshop was organized to design a model for the MPI that would be acceptable to all parties; to examine costing for such a model; and to provide a map of the working process that would operationalize the system to implement the proposed model. A final report was prepared by the consultants for consideration by the working group.

In response to (e), subparagraph (i), the three subgroups that have undertaken studies had representation from provincial and territorial jurisdictions and the federal government. The workshop involved a select group of individuals representing policy, legal, scientific, managerial, program and enforcement disciplines from the following organizations: Public Safety Canada; Royal Canadian Mounted Police RCMP; RCMP Forensic Science and Identification; the Federal Bureau of Investigation, FBI, Lab; British Columbia Public Safety and Regulatory/Coroners Service; Toronto Centre of Forensic Sciences; New Brunswick Regional Crown Prosecutors Office; Laboratoire de sciences judiciaires et de médecine légale du Québec; and Bureau des Enquêtes criminelles, Sûreté du Québec. The only international representation in the workshop was the United States Federal Bureau of Investigation ,FBI, Lab. The consultant hired to lead the workshop was Baintree Group.

In response to subparagraph (ii), the Baintree Group contract was for $25,000.

In response to subparagraph (iii), the findings of the reports prepared by the FPT DNA MPI subgroups dealt with complex legal, jurisdictional and cost issues for the consideration of the working group with respect to the issues related to the implementation of a MPI. The report prepared by Baintree as a result of the workshop concluded that it would be possible and desirable to build a national missing persons index for Canada that would assist coroners, law enforcement and possibly others to identify missing persons for both humanitarian and criminal law enforcement reasons.

The subgroup reports also concluded that the MPI could be created with a dedicated processing centre that could be integrated with existing processing centres and that the analysis and investigative leads generated could be integrated into the existing infrastructure in Canada, non-disruptively, and would bring added value to the current provincial and regional missing persons programs. Finally, the subgroup reports concluded that a broader missing persons program for Canada should be examined for the feasibility of integrating missing persons services that currently exist in provincial and territorial programs across Canada with the information derived from the processing of DNA profiles from a MPI.

Question No. 110—**Hon. Andy Scott**:

> With regard to the core service review at the Canada Border Services Agency (CBSA) and the government's decision last winter to expand fully paid customs services to the Halifax International Airport and the Yarmouth Ferry Terminal: (*a*) how did the government arrive at the decision to select those two facilities; (*b*) what other airports and facilities across the country were recommended for these additional resources by CBSA; and (*c*) why did the government not grant expanded, 24 hours a day, 7 days a week customs service to those venues?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, in response to (a), the Canada Border Services Agency conducted an internal review to determine if there were sites which qualified for immediate conversion to be provided with core services. As a result, three sites were identified for conversion, Halifax Robert L. Stanfield International Airport, Yarmouth Ferry Terminal and Ottawa Macdonald-Cartier International Airport.

In reviewing sites for conversion, the criteria included the current levels of service and the demand for additional services.

The sites that were recommended for conversion to core services were recommended on the basis thatthey supported equity of service to industry;they did not create a precedent; and they were based on a proven track record.

Other sites were looked at but not recommended for immediate conversion.

In response to (b), other than those mentioned in (a), there are no other sites that qualified for immediate conversion.

The CBSA has conducted a core service review to establish a service delivery approach that is fair, transparent and flexible. Developing an effective and efficient CBSA core services delivery framework will maintain national security and support economic prosperity. Decisions to provide CBSA services are always carefully considered and take into account security service to the public and the government's fiscal responsibilities.

In response to (c), the government granted expanded, 24 hours a day, seven days a week customs service to Macdonald-Cartier International Airport and to the Halifax Robert L. Stanfield International Airport. CBSA provides core hours of service at the Yarmouth Ferry Terminal from 08:00 to 17:00, seven days a week during the peak ferry season. Extended hours of service up to 21:00 were provided to the Yarmouth Ferry Terminal during the ferry season following the results of the conversion to core exercise. CBSA did not grant 24 hours a day, seven days a week service to the Yarmouth Ferry Terminal as it was not required by the ferry operators schedule.

Question No. 112—**Mr. Ken Boshcoff**:

> With regard to the ongoing investigation by Mexican authorities into the murders of Dominic and Nancy Ianeiro in February 2006: (*a*) has the government of Canada formally asked the government of Mexico if Dr. Cheryl Everall and Ms. Kimberley Kim remain persons of interest to either federal or State of Quintana Roo authorities conducting the investigation; (*b*) if Dr. Cheryl Everall and Ms. Kimberley Kim remain persons of interest to either federal or State of Quintana Roo authorities, has the government of Mexico provided the government of Canada with information as to what the interest is in these two Canadian citizens; and (*c*) if there is no further interest, has the Canadian government formally requested that Mexican authorities provide written confirmation that these two women are no longer considered people of interest?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, in repsonse to (a), with respect to Dr. Cheryl Everall and Ms. Kimberley Kim and whether they remain persons of interest in the Mexican investigation into the murders of Dominic and Annunziata Ianiero, the department confirms that this issue has been formally raised with the Mexican government. The previous minister of foreign affairs raised the issue in a telephone conversation with Mexican Foreign Secretary Patricia Espinosa on May 8, 2007. He noted that Dr. Everall and Ms. Kim had been named persons of interest by Mexican authorities when, to the best of the Government of Canada's knowledge, there was no evidence to support this claim. He also expressed concern that Dr. Everall and Ms. Kim were living under the shadow of potentially unfounded suspicions. He asked Secretary Espinosa to speak with the appropriate Mexican authorities and advise the Government of Canada if there existed any reason why Mexican authorities could not issue a statement indicating that these women were no longer suspects in Ianieros' murder. The previous minister sent a letter to Secretary Espinosa on May 9, 2007 to summarize their discussions and to reiterate his concerns.

In response to (b),on May 16, 2007, Secretary Espinosa responded to that letter. She stated that the Quintana Roo State Attorney General informed her that as the Ianiero murder investigation remained open, he could not eliminate any persons of interest, including Dr. Everall and Ms. Kim, from the investigation. Secretary Espinosa also noted that Mexico had made requests for information under the Mutual Legal Assistance Treaty between Canada and Mexico. As these requests are confidential and related to an ongoing police investigation, we cannot comment on their contents.

In resonse to (c), senior officials from Ottawa and our embassy in Mexico raised the situation of Dr. Everall and Ms. Kim with the Secretariat des Relaciones Exteriores Estivill and the Mexican Deputy Head of Embassy in Ottawa during a meeting on November 27, 2007.

In response to (d), as noted, Mexican authorities have not yet indicated that Dr. Everall and Ms. Kim are no longer persons of interest. Canada continues to press for a swift, transparent and thorough investigation at every opportunity.

Question No. 114—**Mr. Mario Silva**:

> With respect to the 17 million dollar cuts to literacy programs announced in September 2006: (*a*) which programs or efficiencies were affected and what is the evaluation of said programs; and (*b*) which programs not mandated by statute have been cancelled since January 2006 and what are the reasons for their cancellation?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the government's effective spending measures with literacy affected the adult learning, literacy and essential skills program, ALLESP.

In implementing these measures, the Government of Canada honoured all signed agreements and commitments with respect to the local and regional priorities agreed upon between the ALLESP and the provinces and territories in 2006-07. In addition, all project proposals submitted through the ALLESP calls for proposals, CFP, that concluded on or before September 15, 2006 were reviewed and considered for funding, including those received for local and regional activities through the provincial-territorial stream. All applicants were informed in writing of the outcome of their applications.

No literacy programs have been cancelled. ALLESP was created in April 2006, and brought together the Office of Learning Technologies, OLT, the national literacy program, NLP, and the learning initiatives program, LIP, under a single set of terms and conditions. The program is delivered by the Office of Literacy and Essential Skills, OLES. The ALLESP, and the effects of the expenditure review on this program, have not yet been evaluated. An implementation evaluation of the program is, however, scheduled for the 2008-09 fiscal year.

Question No. 115—**Mr. Mario Silva**:

> With respect to emergency and contingency funds: (*a*) which funds were set up by the government in the previous fiscal year; (*b*) what was the size of each fund; (*c*) what amount of each fund was spent; and (*d*) what were the rules and purposes for accessing these funds?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, Treasury Board has not established any new discrete funds to offset emergencies in the past year.At the same time, Treasury Board does maintain its vote 5 to supplement other appropriations in order to provide the government with the flexibility to meet unforeseen expenditures until parliamentary approval can be obtained. Parliamentarians are asked to approve vote 5 funding annually, as part of the main estimates. In 2007-08, Parliament has established this vote in the amount of $750 million.

Treasury Board evaluates departmental access to the government contingencies vote 5 using the following four criteria:

1. All advances from the government contingencies vote should be considered temporary advances to be covered by items included in subsequent supplementary estimates and reimbursed when the associated appropriation act is passed;

2. An organization's existing appropriation must be insufficient to cover existing requirements and the new initiative until the next supply period. To that end, an organization must support any request with a valid cash flow analysis;

3. A valid and compelling reason exists, particularly as it relates to the payment of grants, as to why the payment needs to be made before the next supply period. If not, the payment should be deferred and access to Treasury Board vote 5 denied; and,

4. For grants, the transfer payment policy must be consulted and followed to ensure that a valid, legally incorporated recipient exists and that the organization clearly demonstrates that it needs to make a payment before the next supply period.

Among vote 5's uses so far this fiscal year is: $14.1 million to Agriculture and Agri-Food Canada for payments to farmers affected by flooding; $7.9 million to Fisheries and Oceans Canada for compensation related to the east coast commercial fishers program; and, $39 million to Transport Canada to provide funding for the ecoauto rebate program which encourages Canadians to buy fuel efficient vehicles.

Question No. 117—**Hon. Roy Cullen**:

> With regard to the Canada Border Services Agency's attempt to introduce a new cost recovery regime to address the current system: (*a*) what is the current status of this initiative, including details of any activity in relation to this in the last 20 months; and (*b*) what are the details of any direction on this file from the Minister of Public Safety, his staff or senior departmental officials in the last 20 months?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, in response to (a), the Canada Border Services Agency, CBSA, does not have a separate departmental cost recovery policy. The agency currently follows the Treasury Board policy and the User Fees Act, 2004.

With respect to core services review, the Canada Border Services Agency faces increasing demand to provide additional services beyond its current A-Base funding capacity.

The objectives of the core services review are to establish a service delivery state that is fair and transparent, and allows for adjustments to core services in response to changing demands and conditions.

The concept of "core services" was introduced in 1987 when the services in place at the time were grandfathered as core services, i.e., the hours of operation, the location and specific services provided were automatically accepted as core services and have been publicly funded. Since then, requests for services from stakeholders have generally been subject to cost recovery if the CBSA was not able to provide the service through A-Base funding. If the CBSA does not have the capacity to provide the service, e.g., lack of border services officers, the request may be declined.

During the 20 month period from March 2005 to November 2006, the core services review team researched and consulted with other Canadian government departments, e.g., Parks Canada, Health Canada, Canadian Food Inspection Agency, Natural Resources Canada and Fisheries and Oceans Canada, and foreign administrations, e.g., United States, United Kingdom, Australia and New Zealand, on their approach and application of cost recovery and user fees policies in the delivery of government services. In the case of foreign administrations, the core services review team focused on the application of cost recovery and user fees as they apply to border services.

Consultation sessions with both internal, e.g., CBSA's executive management and regional directors, and external stakeholders in the air mode were held in February and April 2007. A wide range of air industry stakeholders, including airport authorities, aviation associations, and pilots associations were consulted on proposed policy and funding options for CBSA services. Stakeholders' perceptions are that the CBSA's current service delivery and cost recovery practices are inconsistent and create a barrier to regional economic development. Stakeholders disagree with broad-based user fees and expressed their view that border services are a public good that should be publicly funded.

In July 2005, the CBSA conducted a comprehensive data collection exercise for service sites in the air and marine modes. The core services review team recently completed the data analysis for the air mode providing the agency with valuable information such as passenger volumes and average processing cost per passenger for airports with passenger clearance services. The marine mode review is currently underway.

The agency provides regular briefings and status updates to various industry stakeholders,e.g., the Air Transport Association of Canada and Transport Canada's aviation standing committee, on key developments and on the progress of the core services review.

In response to (b), during the 20 month period, the Minister of Public Safety has directed the agency to develop options to address existing service level issues. A Government of Canada announcement on this issue is anticipated in 2008, following consideration of options. In the meantime, CBSA's current service delivery framework remains in effect.

Developing an effective and efficient CBSA core services delivery framework will maintain national security and support economic prosperity.

Decisions to provide CBSA services are always considered and take into account security service to the public and the government's fiscal responsibilities.

Question No. 118—**Hon. Roy Cullen**:

> With regard to the Canada Border Services Agency's Fairness Initiative: (*a*) what is the current status of this initiative, including details of any activity in relation to this project in the last 20 months; and (*b*) what are the details of any direction on this file from the Minister of Public Safety, his staff or senior departmental officials in the last 20 months?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, in response to (a), in July 2005 the Canada Border Services Agency, CBSA, announced the launch of consultations on a new fairness initiative that included a series of proposed commitments on how people should expect to be treated at the border. The CBSA also announced that it would be working on an improved complaint and compliment mechanism.

Between July 2005 and June 2007, the CBSA received comments on CBSA's commitment to fairness through a web address on CBSA's Internet site specifically designated to receive comments on the fairness initiative.

During the last 20 months, the CBSA has pursued a number of activities to further develop this initiative to bring it to the point where it is ready for implementation. These activities have included the following:

review of the service pledges of other modern border administrations to adopt the best practices of those organizations which have resulted in the expansion of the original initiative to include the responsibilities of the client, as well as identifying a detailed proposal for an enhanced mechanism to manage complaints;

development of draft preliminary procedures for a singlewindow complaint process;

and creation of a client feedback form and a prototype for a national complaint reporting system, which would allow for a more nationally consistent mechanism to analyze, respond, track and report on complaints received by the CBSA.

Given that the initiative evolved into the three distinct components of service commitments, client responsibilities, and a complaint mechanism, the "fairness" banner did not appropriately capture the full essence of the broadened initiative, and the expanded initiative became "CBSA's client rights and responsibilities".

During this period, a consultative document entitled "A Guide to CBSA's Client Rights and Responsibilities" was developed. In addition, in anticipation of the implementation of this initiative, a full communications plan and supporting communication products publicizing the initiative and the enhanced complaints process were developed.

Throughout this period, feedback on the expanded initiative was sought internally, as well as from the Canada Border Services Advisory Committee, CBSAC, whose membership is drawn from a cross-section of academia, businesses and associations that would be affected by broad border management decisions. In all cases, the proposed commitments, client responsibilities, and the anticipated complaint mechanism received significant support.

While CBSA senior officials have acknowledged the importance of this initiative, and significant progress has been made on this file, no final decision can be made with respect to implementation of this initiative until a source of ongoing funding is identified to support this initiative. Once final decisions have been made with respect to A Base and Core Service recommendations, CBSA will be in a better position to determine if there is a source of funds for this initiative.

In response to (b), no direction has been required from the minister or his staff on this initiative in the last 20 months.

Question No. 120—**Mr. Todd Russell**:

> With regards to the Lower Churchill hydro-electric project: (*a*) has the government received any request or submission in respect of a loan guarantee for the construction of this project or its associated transmission lines; and (*b*) has the government made any budgetary provision for such a loan guarantee and, if so, (i) what is the value of that loan guarantee, (ii) who has requested it, (iii) which departmental budget is this loan guarantee booked against?

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, in response to (a), the federal government has not received a formal request for a loan guarantee for the Lower Churchill hydroelectric project or its associated transmission lines.

In response to (b), the federal government has not made any budgetary provisions for such a loan guarantee.

Question No. 125—**Ms. Alexa McDonough**:

With respect to Canada's international development commitments in the Democratic Republic of the Congo (DRC): (*a*) what funding has been allocated to assist the land distribution commission in North Kivu; (*b*) what assistance has the Canadian International Development Agency (CIDA) provided to state agencies in their capacity to collect tax revenue; (*c*) what contributions has CIDA made to projects preventing and eradicating smuggling from the DRC; (*d*) which international agencies and non-governmental organizations are involved with CIDA's project number A032983-001 (Project Against Sexual Violence (DRC)), and which provinces are the principal beneficiaries of the project; (*e*) what measures have been taken in order to provide women with civilian justice; and (*f*) what socio-economic reintegration policies does the project support?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, in response to (a), CIDA has not allocated any funding to land distribution commissions in the North Kivu.

In response to (b), CIDA has not provided any assistance to state agencies in their capacity to collect tax revenue.

In response to (c), CIDA has not made any contributions to any projects aiming to prevent or eradicate smuggling from the DRC.

In response to (d), CIDA's project A-032983-001, project against sexual violence, is a grant to a multilateral initiative led by three United Nations agencies: UNFPA, UNICEF and the Office of the High Commissioner for Human Rights. Other UN system agencies affiliated with this project include the UNDP, UNHCR, UNIFEM, the WHO and the Office for the Coordination of Humanitarian Activities, OCHA. International non-governmental organizations involved with the project include Caritas International, Médecins sans frontières France, Médecins sans frontières Holland and Heal Africa.

The provinces of North Kivu and South Kivu are the two beneficiaries of the project.

In response to (e), CIDA supports a project led by the UN office of the High Commissioner for Human Rights. The project plans to provide 30% of victims and their families with improved access to civilian justice. Any judicial remedies themselves are not actually delivered by the project as that is the responsibility of the state. The project aims to: sensitize and train officials within the justice system on the issue of sexual violence; engage traditional customary leaders on how to use the law to protect victims; organize outreach campaigns on human rights and; provide legal aid to victims. This major component of the project is led by the UN Office of the High Commissioner for Human Rights and is currently commencing its activities.

In response to (f), family, social and community reintegration is a major component of the project. The intended result is that 30% of victims return to their family and/or community of origin. This involves the creation of welcome and orientation structures, facilitation mechanisms and confidentiality safeguards. Victim reintegration profiles are developed to determine assistance packages. Socio-economic studies are conducted to identify reintegration opportunities. Examples of socio-economic reintegration to date include small-scale farming and livestock herding, culinary arts, dressmaking and weaving, soap making and small-scale retail trade. Many victims also receive parallel literacy and general education courses.

Question No. 136—**Hon. Judy Sgro**:

With respect to the northern section of the Spadina subway line to York University and to the Vaughan Corporate Centre: (*a*) what is the exact dollar amount that the government will commit to this project; (*b*) when will the funding begin to flow into this project; (*c*) will the funding flow on time for the expected project start date; (*d*) has the government signed off on the funding-dependent federal environmental assessment; and (*e*) has the government completed the funding-dependent due diligence review and the negotiation of the contribution agreement?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, in response to (a), the federal government proposes to fund up to one-third of the eligible costs associated with the Toronto-York subway extension project, up to a maximum funding level of $697 million.

In response to (b), $75 million from the public transit capital trust has been disbursed to the province and is immediately available for use. The remaining amount will be funded through the building Canada fund. This program works on an invoice basis; as costs are incurred, the proponent will be reimbursed on eligible costs pursuant to the terms of the contribution agreement. Accordingly, this funding will flow to the recipient once eligible expenses have been incurred and have been submitted to the federal government.

In response to (c), Infrastructure Canada officials are working diligently with officials from the City of Toronto and the Toronto Transit Commission in order to ensure that due diligence is completed, and the necessary agreements are signed as quickly as possible. At this time, federal officials are waiting on several pieces of information from the city that are material to conclude due diligence. Once due diligence is completed, formal approval by Treasury Board of the project can follow, as can the signature of a contribution agreement on the project.

In response to (d), on November 7, 2007, a draft screening report, submitted by the proponent, was received by members of the federal environmental assessment, EA, review team. Once the draft document has been reviewed and comments from federal reviewers are adequately addressed, the EA documentation will be finalized and federal EA decision(s) will be made. Assuming that no substantial issues arise during the review period and current timelines are met, federal officials anticipate that EA decision(s) will be made prior to the end of this fiscal year.

In response to (e), please refer to the response to (c).

Routine Proceedings

Question No. 141—**Hon. Larry Bagnell**:

With regard to budgetary freeze and cuts affecting the Canadian Wildlife Service, what plans has the Ministry of Environment developed and implemented to enforce the Canadian Environmental Protection Act, the Migratory Birds Convention Act and the Canadian Wildlife Act to: (*a*) monitor the health of migratory birds, waterfowl and songbirds; (*b*) identify plant and wildlife species at risk; (*c*) run recovery programs; (*d*) protect 144 national wildlife reserves across Canada; (*e*) enforce environmental and pollution laws affecting birds, wildlife and their habitats; and (*f*) reassure Canadians that recent budgetary freeze and cuts will not jeopardize scientific projects that may have human health ramifications?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, the Government of Canada recognizes the important role that conservation plays in protecting species at risk and ensuring healthy ecosystems, and is committed to conserving Canada's landscape and wildlife. These goals are supported by new investments of $375 million in current and multi-year funding for conservation programs, the largest investment in conservation in Environment Canada's history.

Environment Canada will continue to carry out programs and initiatives to protect and conserve wildlife and the habitat where they live. This fiscal year, the overall budget for Environment Canada's Canadian Wildlife Service is $84.5 million, an increase of 13% from last year. This is the largest budget that the Canadian Wildlife Service has ever had, and includes salary for staff, operating funding and money for partners.

In September, temporarily, budget commitment approvals were moved up a higher level while a review of spending for the remainder of the fiscal year was undertaken. Budget allocations were adjusted and work is well under way in all priority areas. Good financial management and stewardship of resources continues to be followed.

In response to (a), Environment Canada remains committed to the migratory bird program. The majority of expenditures occurred in the spring and summer due to the field season nature of the program. Work on assessing data collected and developing regulations and conservation plans is ongoing. Bird surveys in high priority areas are also continuing. The department will continue to support key work to conserve wetland habitat and migratory birds through the North American waterfowl management plan.

The department is undertaking a review of its various monitoring activities to ensure they are efficient and necessary. A limited number of monitoring coordination activities have been put on hold while this review is underway. Environment Canada will continue to carry out programs and initiatives to protect and conserve wildlife and the habitat where they live.

In response to (b), Environment Canada continues to deliver on its commitment for species at risk. This includes support for the Committee on the Status of Endangered Species in Canada, the independent scientific body responsible under the Species at Risk Act for assessing the status of species which may be at risk in Canada. The committee is continuing to meet in order to conduct status reports and species assessments, to help inform the Minister of the Environment's listing recommendations under the Species at Risk Act.

The department continues to support advisory committees which provide important advice on issues related to species at risk, including the National Aboriginal Council on Species at Risk and the Species at Risk Advisory Committee. The Council is composed of representatives of the Aboriginal peoples of Canada, and is mandated under the Species at Risk Act to advise the minister on the administration of the act. The Species at Risk Advisory Committee is composed of representatives from non-government organizations, industry, and other stakeholders, and provides advice to the department on the conservation of species at risk.

In response to (c), Environment Canada is continuing to work with provincial and territorial governments, aboriginal organizations and other stakeholders to develop recovery strategies for species listed under the Species at Risk Act. Recovery strategies are advice to government which set population goals, objectives and broad approaches to respond to the known threats to the survival of the species, identify critical habitat to the extent possible, and set time lines for the preparation of action plans. As of October 15, 2007, the federal government had finalized 42 recovery strategies addressing 69 species, one action plan and two management plans. An additional 25 draft recovery strategies addressing 28 species have been posted for public comment. Critical habitat had been identified for 15 species and proposed for four others.

Environment Canada is also allocating over $16 million to external partners to take action through its funding programs, including the habitat stewardship program, the interdepartmental recovery fund, the aboriginal funds for species at risk and the endangered species recovery fund, to support recovery for species at risk.

In response to (d), support for the ongoing management of Canada's network of protected areas continues. Environment Canada has recently realigned priorities in order to ensure the protection of its 143 national wildlife areas and migratory bird sanctuaries.

In addition to this ongoing investment, budget 2007 includes significant new investments in Environment Canada's protected areas, including $10 million over two years for the establishment of national wildlife areas in the Northwest Territories, and $3.25 million over five years for marine protected areas under the health of the oceans initiative.

In response to (e), last February, the 2007 budget provided $67 million over five years to increase enforcement officers by 50%. This signals the government's desire to break with the past and pursue an approach to environmental protection and conservation more grounded in regulation and enforcement. Environment Canada is currently working to hire these new officers and have them in place in 2008.

In response to (f), the mandate of Environment Canada wildlife programs is to conserve and protect wildlife species and habitat. In that regard, there are very few instances that necessitate conducting scientific projects that may have human health ramifications. In the case of avian influenza, Environment Canada's Canadian Wildlife Service continues to treat this as high priority.

Question No. 145—**Mr. Bill Casey**:

> With regard to the investigations into the use of a taser device on Robert Dziekanski by the Royal Canadian Mounted Police (RCMP), and the Commission for Public Complaints Against the RCMP: (*a*) which individuals from these organizations are responsible for the investigations; (*b*) what time frames have been given for the investigations to be completed and when can the public and parliamentarians expect to be advised on the results of these investigations; and (*c*) will the RCMP reduce or place a moratorium on the use of taser devices nationwide until after the above-noted investigations are concluded?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, with respect to the Royal Canadian Mounted Police, RCMP, in response to (a), the Integrated Homicide Investigative Team,IHIT, in the Lower Mainland of British Columbia is responsible for the investigation. This unit is led by a superintendent of the RCMP and consists of 76 investigators of which seven are from non-RCMP departments.

In response to (b), the IHIT investigation is nearing completion with a time frame of approximately mid-March 2008 for the submission of a report to Crown counsel for a legal opinion on the circumstances. This is dependent on the receipt of key material from agencies external to the RCMP, which also includes the completion of the requested travel by investigators to Poland to obtain further information.

In response to (c), following the receipt of the Commission for Public Complaints Against the RCMP ,CPC, interim report, the RCMP advised on December 14, 2007 that the RCMP policy regarding the use of a conducted energy weapon, CEW, would be amended to more clearly define use of force terminology and limit the use of CEWs to situations where a subject is displaying combative behaviors or is being actively resistant.

With respect to the Commission for Public Complaints Against the RCMP, CPC, in response to (a), the chair of the Commission for Public Complaints against the RCMP, CPC, initiated a complaint into the in-custody death of Robert Dziekanski on November 8, 2007. Under section 45.37 of the RCMP Act, a complaint initiated by the chair shall be investigated by the RCMP; it is the sole responsibility of the RCMP Commissioner to conduct this investigation.

In response to (b), when the RCMP has completed its investigation, the CPC will be in a position to prepare a report on the disposition of the complaint by the RCMP.

In response to (c), the chair of the CPC also provided the Minister of Public Safety with a report and recommendations entitled "RCMP Use of the Conducted Energy Weapon (CEW): Interim Report" on December 12, 2007. The final report will be completed by early summer 2008. In this report, the CPC did not recommend that a moratorium be placed on the use of the CEW. Rather, the commission recommended that the RCMP immediately restrict the use of the conducted energy device by classifying it as an "impact weapon" in the use of force model and allow its use only in those situations where an individual is behaving in a manner classified as being "combative" or posing a risk of "death or grievous bodily harm" to the officer, themselves or the general public.

Question No. 146—**Mr. Bill Casey**:

> With regard to ongoing internal investigations of the government, following the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar: (*a*) how many internal investigations continue or have been concluded in regard to information leaked by individual members of the Royal Canadian Mounted Police to American authorities; (*b*) who is conducting these investigations; (*c*) if the investigations are still underway, when are the investigations expected to be completed; and (*d*) when will the results be made known to parliamentarians and the public?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, there are no internal investigations under way into "leaked information" to American authorities by the RCMP. There has been no finding by Justice O'Connor, that information was inappropriately "leaked" to American authorities. On the contrary, Justice O'Connor endorsed RCMP information sharing with the American authorities.

Question No. 152—**Hon. Shawn Murphy**:

> With regard to the EcoAuto program under Environment Canada: (*a*) how many applications have been filed since October 1, 2007; (*b*) how many applications have been approved; (*c*) how many applications have been denied; (*d*) how long is the average length to receive notification of the approval or denial of an application; (*e*) what models of automobiles have been applied for; (*f*) what models of cars have been approved for the EcoAuto rebate; (*g*) what regions have applied for the rebate; and (*h*) what is the percentage of the rebate deemed eligible for each purchase?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the ecoauto rebate program encourages Canadians to buy or lease fuel efficient vehicles. The program is delivered in partnership, with Transport Canada as the program lead, and Service Canada, Human Resources and Social Development Canada, as the delivery arm of the program, handling public calls and processing applications.

In response to (a), as of January 16, 2008, 42,270 applications had been received. Canadians who have bought, or leased, for 12 months or more, an eligible vehicle as of March 20, 2007, may apply for a rebate through the ecoauto rebate program.

In response to (b), as of January 16, 2008, 13,190 applications hae been approved and over $15.6 million in rebates had been issued.

In response to (c), as of January 16, 2008, 684 applications had been deemed ineligible.

In response to (d), the program was announced in March 2007 and the government's commitment to start issuing rebate cheques in fall 2007 has been met. The application form has been available since October 1, 2007.

Since the launch of the program, a large volume of applications have been received. All efforts are being made to process the applications as quickly as possible and measures have been implemented to minimize the requirement for follow-up with applicants about missing or incomplete information.

Measures have also been put in place to ensure due diligence to adequately input, track, review and validate the applications prior to approval.

Information regarding the status of applications can be obtained by calling 1-866-506-6804.

In response to (e), applications have been received for models of cars on the list of eligible vehicles as well as others that were not eligible.

In response to (f), the list of vehicles that are eligible under ecoauto can be found at www.ecoaction.gc.ca/ecoAUTO and only those vehicles would be approved for a rebate.

In response to (g), all Canadian provinces and territories have applications submitted to the ecoauto rebate program.

In response to (h), the ecoauto rebate program is providing a cash incentive to Canadians to help the environment by buying or leasing more fuel efficient vehicles. The rebate is based on fuel consumption ratings.

There are different rebate criteria for passenger cars and light trucks since consumers have different needs and shop for different categories of vehicles. The intention of this measure is to encourage consumers to purchase the most fuel-efficient vehicles while still fulfilling their individual needs.

Current vehicle models qualifying for the rebate include some hybrid electric vehicles and highly energy efficient vehicles. The list of eligible vehicles includes: new passenger cars with a combined city/highway fuel consumption of 6.5 litres per 100 kilometres or less; new minivans, sport utility vehicles and other light trucks with a combined city/highway fuel consumption of 8.3 litres per 100 kilometres or less; and new flex-fuel vehicles, i.e., vehicles equipped by manufacturers to operate on gasoline or a blend of 85% ethanol/15% gasoline, with a combined city/highway E85 fuel consumption rating of 13.0 litres per 100 kilometres or less.

Question No. 153—**Ms. Alexa McDonough**:

> With respect to the United Nations Convention on the Rights of Persons with Disabilities: (*a*) what is the current status of federal and provincial negotiations in regard to Canada's ratification of the document; (*b*) what stage of the ratification process has the Convention reached; (*c*) has the government consulted with the provinces on their position in regard to ratifying the treaty; (*d*) what position have the provinces taken; (*e*) what, if any, amendments must be made to provincial legislation in order to accommodate the ratification of the Convention; (*f*) are such amendments being made; (*g*) are federal-provincial negotiations ongoing; (*h*) what negotiations have taken place; (*i*) who is conducting these discussions, mediations or negotiations; (*j*) what is the timeline to complete these negotiations; (*k*) which government departments are involved in these negotiations; (*l*) has the government consulted with non-governmental organizations during the ratification process; (*m*) what advice has the government received from agents of civil society; (*n*) is the government studying the unsigned optional protocol; and (*o*) what is the timeline for these considerations?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, the United Nations Convention on the Rights of Persons with Disabilities, hereinafter referred to as the convention, is a significant advancement in international law concerning the rights of persons with disabilities. In being among the first countries to sign the convention, the Government of Canada demonstrated its leadership with respect to disability issues and the importance Canada attaches to the rights of persons with disabilities.

In response to (a), (b), (c) and (g), many of the areas covered by the United Nations Convention on the Rights of Persons with Disabilities fall under the jurisdiction of the provinces and territories. During the negotiation of the convention at the United Nations, the Government of Canada consulted extensively with the provinces and territories and was pleased with the level of support the convention received. The process of human rights treaty ratification in Canada typically requires detailed consultation, rather than "negotiation", with provinces and territories. The Government of Canada is currently working very closely and diligently with the provinces and territories to examine the legal and policy implications of ratifying the convention.

In response to (d), (e) and (f), the provinces and territories are currently examining the legal and policy implications of the convention. Questions regarding the positions of provinces and territories are best answered by them.

In response to (i) and (k), processes for consultations with provincial and territorial governments vary. With respect to the signature and ratification of new international human rights treaties, where these treaties contain provisions that fall under provincial and territorial jurisdiction, the Government of Canada consults with provincial and territorial governments through the Continuing Committee of Officials on Human Rights, CCOHR, to verify compliance and support before signature or ratification. More information about the committee can be found on the Canadian Heritage website, http://www.pch.gc.ca/progs/pdp-hrp/canada/comite_committee_e.cfm.

In response to (j) and (o), the question of ratifying the convention is under active consideration and involves consultation with many diverse players. It is not possible at this time to set out a timeframe.

In response to (k), the following federal government departments and agencies have been engaged in discussions regarding the legal and policy implications of ratifying the convention: Justice, Heritage, Foreign Affairs and International Trade Canada, Human Resources and Social Development Canada, Health, Department of National Defence, Royal Canadian Mounted Police, Statistics Canada, Treasury Board, Citizenship and Immigration Canada, Finance, Privy Council Office, Status of Women, Public Works and Government Services Canada, Correctional Service of Canada, Service Canada, Industry Canada, Transport Canada, Indian and Northern Affairs Canada, Veterans Affairs Canada, Public Safety Canada, Canada Public Service Agency, Canadian International Development Agency, Canada Mortgage and Housing Corporation, Canada Border Services Agency, and Library and Archives Canada.

In response to (l) and (m), during the negotiation of the convention at the United Nations and prior to Canada signing the convention, NGOs were consulted and helped shape Canadian negotiating positions, including as members of Canada's delegation to the negotiations. Public views on the issue of ratification are being tracked. Further consultations are anticipated going forward.

In response to (n), the Government of Canada is focusing its attention on the convention itself at this juncture.

Question No. 162—**Mr. Ken Boshcoff**:

With respect to Environment Canada project K2A65-06-0039 which was awarded to the International Institute for Sustainable Development (IISD) in January and February 2007: (*a*) what is the annual amount of funding provided by Environment Canada to the IISD; (*b*) what is the designated use for the funds outlined in sub-question (*a*); (*c*) what is the contract value of project K2A65-06-0039; (*d*) what policies are in place to ensure fairness and accountability in the Request for Proposal (RFP) process when an RFP submission is received from an organization that is also funded by Environment Canada; (*e*) which departments were directly involved in the decision to fund the IISD; (*f*) were any ministerial staff directly involved in the decision to fund the IISD and, if so, which ones; (*g*) which departments were directly involved in the decision to award project K2A65-06-0039 to the IISD; and (*h*) were any ministerial staff directly involved in the decision to award project K2A65-06-0039 to the IISD and, if so, which ones?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, In response to (a), the Government of Canada created the International Institute for Sustainable Development in 1990 with the intention that it would eventually secure the majority of its funding independently. Environment Canada was the International Institute for Sustainable Development's primary source of funding for its first decade of operation contributing $15.6 million over 10 years to its core operating costs, until 2000. Since then, contributions to the International Institute for Sustainable Development have varied depending on how its work related to Environment Canada's priorities.

Environment Canada is currently in the third year of the current contribution agreement with the International Institute for Sustainable Development. While the original agreement provided $1 million per year, this was reduced to $750,000 in 2007-08 to cope with the overall reductions in the department's grants and contributions budget.

The Government of Canada contribution amounts to 16% of the International Institute for Sustainable Development's overall funding; Environment Canada's contribution represents 43% of the federal funding. The International Institute for Sustainable Development currently, i.e., 2007, receives additional funds from governments of other countries, 48%; philanthropic foundations and the private sector, 18%; United Nations agencies, 7%; and international organizations, 5%.

In response to (b), half the funds transferred to the International Institute for Sustainable Development fund a directed research program, examining sustainable development issues which assist in advancing the department's priorities. The remaining half is channeled toward the International Institute for Sustainable Development's base funding and is used to assist with core operating costs. The Canadian International Development Agency also provides core funding to the International Institute for Sustainable Development.

In response to (c), the contract value of project K2A65-06-0039 is $132,946.00.

In response to (d), in order to assure fairness and accountability, the subject contract was competed, evaluated and subsequently awarded in accordance with the procedures set out in the Treasury Board contracting policy.

In response to (e), Environment Canada made the decision to enter into a funding agreement with the International Institute for Sustainable Development. Departments consulted in advance of the decision were the Canadian International Development Agency and Agriculture and Agri-Food Canada.

In response to (f), negotiation of the current Environment Canada-International Institute for Sustainable Development contribution agreement was conducted by departmental officials without involvement of ministerial staff. In July 2005, the contribution agreement was signed by the Minister of the Environment, on the recommendation of the Deputy Minister of Environment Canada.

In response to (g), Environment Canada was the only department involved in the decision to award project K2A65-06-0039.

In response to (h), no ministerial staff was involved in the award of the subject contract.

Question No. 163—**Mr. Lloyd St. Amand**:

With regard to a water treatment facilities: (*a*) is the government working on providing funding for a water treatment facility for residents of Six Nations of the Grand River Territory and, if so, how much will be provided; and (*b*) when will the government provide funding for a water treatment facility in Ohsweken and what is the concrete timeline for the implementation and distribution of this funding?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, as I, as the Minister of Indian Affairs and Northern Development, reiterated on January 17, 2008, when launching the latest progress report on the plan of action for drinking water in first nations communities, the Government of Canada remains committed to ensuring that all first nations communities have access to safe potable water. In July 2006, Six Nations of the Grand River First Nation made a preliminary project submission to Indian and Northern Affairs Canada for a new water treatment plant. In September 2006, the first nation agreed to engage in a value engineering study to review all servicing costs prior to finalizing a revised preliminary project submission.

A meeting to review the results of the value engineering team's recommendations was to be held on January 21, 2008. Due to a change in political leadership at Six Nations, the meeting has been postponed, and will be rescheduled after February 6, 2008. The timing and costs of this project will be established based on the results of this process.

* * *

[*English*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, if Questions Nos. 9, 66, 88, 106, 108, 113, 119, 121, 122, 123, 124, 126, 128, 130, 131, 132, 133, 138, 147, 148, 149, 150, 151, 154, 155, 156, 157 and 164 could be made orders for return, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[*English*]

Question No. 9—**Ms. Catherine Bell**:

With regard to export of bulk water and intra-basin diversions from Canada: (*a*) what is the current policy of the government; (*b*) has there been any change to this policy since January 23, 2006 and, if so, what changes have been made; (*c*) how many applications for the export of bulk water have been received by the government, listing of the requestors and the municipality within which they are located, and what is the current status of these requests; (*d*) in terms of bulk water exports and the Security and Prosperity Partnership (SPP) negotiations, (i) in what context has bulk water been discussed, (ii) what is the substance of our trading partners demands, (iii) have any agreements, either in preliminary or final form, been reached in this regard with corporations or foreign governments; (*e*) what did the Minister's briefing book to the SPP meetings say about bulk water; (*f*) are there other trade discussions currently on going that involve bulk water exports or intra-basin diversions and, if so, (i) what is the substance of these discussions, (ii) what is being asked of the government, (iii) what is the current state of the negotiations; (*g*) what legal advice has the government received regarding the export of bulk water from Canada; and (*h*) what scientific advice has the government received in regard to the export of bulk water and intra-basin diversions from Canada?

(Return tabled)

Question No. 66—**Ms. Catherine Bell**:

With respect to the $6.4 million reduction in grants to voluntary sector organizations for adult literacy in the 2007-2008 Main Estimates, broken down between non-profit and for-profit groups: (*a*) which voluntary sector organizations have received funding from Human Resources and Social Development Canada (HRSDC) from September 2006 to May 2007 and from which province or territory those organizations or entities are located; (*b*) what was the dollar amount for each grant that each organization received from September 2006 to September 2007; (*c*) on which dates the grants were awarded to the voluntary sector organizations that received funding from HRSDC from September 2006 to September 2007; (*d*) what are the expiration dates for the grants that were awarded to voluntary sector organizations that received funding from HRSDC from September 2006 to September 2007; (*e*) in what way were evaluation criteria modified mid-way through the application process, and whose decision was it to make this change; (*f*) which organizations received reduced funding, including to reduction to zero, for the 2007-2008 fiscal year compared with the 2006-2007 fiscal year; (*g*) is the government aware of how those organizations have addressed this shortfall in their budget, providing details, if so; (*h*) how does the government explain the reduction of funding for voluntary sector organizations (as stated on p. 14-9 of the 2007-2008 Estimates), but then the increase in funding for voluntary sector organizations (as stated on p. 14-11 of the 2007-2008 Estimates); and (*i*) what is the detailed breakdown as to the difference between the two line items in (*h*)?

(Return tabled)

Question No. 88—**Mr. Don Bell**:

What was the justification for the policy that the Minister of Finance announced on October 31, 2006 with regard to income trusts?

(Return tabled)

Question No. 106—**Ms. Olivia Chow**:

With regard to Canada's immigration system: (*a*) how many Canadians have family members who have been deported since 2000, listed by each year, to 2006, and projected into 2007; (*b*) how many individuals have been deported from Canada since the year 2000, listed by each year, to 2006, and projected into 2007; (*c*) how many of these individuals had been in Canada for five or more years; (*d*) what is the cost of deporting these individuals per year, since 2000, listed by departments, including the court cost; (*e*) how many of these individuals had filed appeals to Federal Court; (*f*) how many of these individuals were ordered removed with their children, provide a list of the ages of all those under the age of 18 and how many of each age group were ordered removed; (*g*) how many of these individuals had Canadian born children, and how many of these Canadian children have been removed out of Canada and what are their ages; (*h*) how many of these individuals left Canadian-born children in Canada when removed; (*i*) how many of these individuals have immediate family (as defined by Citizenship and Immigration under the Family Class) in Canada, and how many individuals have non-family class relatives in Canada; (*j*) how many of these individuals were married to a Canadian citizen while in Canada; (*k*) how many of these individuals were ordered removed to countries for which the Department of Foreign Affairs and International Trade has issued any travel warnings; (*l*) how many of these individuals have returned to Canada since their ordered removal, provide a list of countries for which these individuals returned to Canada from after their removal; (*m*) how many of these individuals returned to Canada since their ordered removal with children under the age of 18, and how many of these children were born in Canada; and (*n*) what immigration categories did these individuals apply under when they arrived in Canada originally and when they return?

(Return tabled)

Question No. 108—**Ms. Olivia Chow**:

With respect to crime prevention programs: (*a*) what studies and evaluations have been undertaken, requested or commissioned by the government with respect to budget cuts to social programs and the rise in violent crime since 1995; (*b*) which studies are related specifically to the rise in violent youth crime; (*c*) what individuals, department, or organization undertook these studies; (*d*) what is the cost of these studies; (*e*) what are the findings and recommendations of these studies; (*f*) how many projects have been funded through the Crime Prevention Action Fund since 2000; (*g*) how many of these projects were pilot projects, and how long did each last for; (*h*) how long were the projects funded for; (*i*) how many and which projects have been funded in the city of Toronto since 2000; (*j*) how much has been invested in the Youth Gang Prevention Fund every year since 2000; (*k*) which programs have been funded through the Youth Gang Prevention Fund in the city of Toronto since 2000 and how much was granted in each case; (*l*) how many of these projects were pilot projects and how long did each last; (*m*) what is the annual funding for the National Centre for Crime Prevention; (*n*) how much was cut or re-allocated from the refocusing of some funding from the National Centre for Crime Prevention in the 2006 budget; (*o*) where did the 2006 budget cuts come from and which projects or organizations were cut; (*p*) what was the purpose, goal, and outcome of the refocusing of funding to the National Centre for Crime Prevention; (*q*) how many programs were funded by the National Centre for Crime Prevention in every year since 2000; (*r*) how many programs were funded through the national drug strategy in every year since 2000; (*s*) how many of the programs have been evaluated in the past four years; (*t*) how many young people received services as a result of this funding; (*u*) how many of these evaluations were positive; (*v*) of all the programs that are evaluated as having positive outcomes, how many programs have since lost their funding; (*w*) how many young people lost their opportunities for services as a result; and (*x*) how many neighbourhoods were affected as a result and what impact did these lost programs have on the crime rate in these neighbourhoods?

(Return tabled)

Question No. 113—**Mr. Mario Silva**:

With respect to programs and funding: (*a*) which accounts, budgets and envelopes used less than 50 per cent of their allotted funds last year and how much was actually spent; (*b*) when evaluating a program that did not spend either most or its entire budget in the past year, how are the levels of funding determined for subsequent years; and (*c*) what incentives are there for programs to not spend leftover funds on superfluous expenditures in order to re-secure the same higher funding levels the next year?

(Return tabled)

Question No. 119—**Ms. Peggy Nash**:

With regard to federal spending in the federal riding of Parkdale—High Park, what has been the total federal spending in each of the last five years by the following departments, described by individual line item and program: (*a*) Canadian Heritage; (*b*) Human Resources and Social Development Canada; (*c*) Veteran's Affairs; (*d*) Infrastructure Canada; (*e*) Transport Canada; (*f*) National Defence; (*g*) Industry Canada; and (*h*) Environment Canada?

(Return tabled)

Question No. 121—**Mr. Todd Russell**:

With regard to the Small Craft Harbours program of the Department of Fisheries and Oceans, what was the funding amount allocated, granted, or contributed to each harbour in the federal electoral district of Labrador, in each of the years 2003 through 2007 inclusive?

(Return tabled)

Question No. 122—**Mr. Todd Russell**:

With regard to Veterans Affairs Canada's Community Engagement Partnership Fund: (*a*) what is the funding amount, recipient organization name, date and location of each grant or contribution made under that fund since January 1, 2006; and (b), who made the public announcement of that grant or contribution?

(Return tabled)

Question No. 123—**Mr. Todd Russell**:

With regard to Veterans Affairs Canada's Cenotaph/Monument Restoration Program: (*a*) what is the funding amount, recipient organization name, date and location of each grant or contribution made under that Program since January 1, 2006; and (*b*) who made the public announcement of that grant or contribution?

(Return tabled)

Question No. 124—**Mr. Michael Ignatieff**:

With respect to the "internal reallocation of resources" of $36,778,000 from Vote 1 to Vote 5 by the Department of Human Resources and Skills Development in the Supplementary Estimates (A), 2007-2008, as tabled in the House of Commons on October 30, 2007: (*a*) what programs or services will be cut or reduced as a result of the proposed reduction of $36,778,000 under Vote 1; and (*b*) to what programs or services will this sum be reallocated under Vote 5?

(Return tabled)

Question No. 126—**Ms. Alexa McDonough**:

With regard to the use of depleted uranium (DU) weapons: (*a*) what is the government's position on this issue; (*b*) why did the government abstain from the UN First Committee resolution vote on effects of the use of armaments and ammunitions containing depleted uranium; (*c*) how many DU-tipped stockpiled weapons exist within the Canadian armed forces; (*d*) have DU weapons been utilized in any combat missions involving Canadian forces in Afghanistan; (*e*) have DU weapons been used in any Canadian military operations in Kandahar; (*f*) what measures has the government taken to ensure other International Security Assistance Force or Operation Enduring Freedom partners do not use DU weapons; and (*g*) what research, if any, has the government sponsored or funded analyzing the potential risks or health hazards associated with the use of DU weapons, and what have been the findings, conclusions or recommendations produced by this research?

(Return tabled)

Question No. 128—**Hon. Marlene Jennings**:

With regard to crime prevention initiatives: (*a*) how do the departments of Justice and Public Safety currently define "crime prevention initiatives"; (*b*) what are the specific eligibility requirements, admissibility conditions or criteria and evaluation criteria established for each program; (*c*) what was the process by which eligibility requirements were changed; (*d*) what was the total spending between January 1, 2006 and September 13, 2007, by the departments of Justice and Public Safety, on crime prevention initiatives, including previously existing programs and initiatives, new programs and initiatives, but excluding those programs which have been announced but not yet implemented; (*e*) what was (i) the number of applications for funding in each program, (ii) the number of applications deemed eligible, (iii) the number of applications approved for funding; (*f*) what was the percentage of amount requested, represented by the actual funding approval; (*g*) what was the median length of project life; (*h*) what was the number of applications approved for (i) 1-year funding, (ii) 2-year funding, (iii) 3-year funding, (iv) 4-year funding, (v) 5-year funding, (vi) 6-year funding, (vii) 7-year funding, (viii) 8-year funding, (ix) 9-year funding, (x) 10-year funding; and (i) what is the current projected annual cost of crime prevention programs and initiatives for the years 2007 and 2008?

(Return tabled)

Question No. 130—**Hon. Marlene Jennings**:

With regards to the recent statement in the House by the Minister of Public Safety that the government will not actively pursue bringing back to Canada murderers who have been tried in a democratic country that supports the rule of law: (*a*) how many Canadians are in prisons abroad and in which specific countries and penitentiaries; (*b*) how many Canadians are currently subject to this reversal of government policy; (*c*) what does the government consider to constitute "democracies" that would meet this new condition for not appealing for the commutation of death sentences in democratic states; and (*d*) were these new directives communicated to officials in Canadian consulates abroad?

(Return tabled)

Question No. 131—**Hon. Roy Cullen**:

With regard to the Security and Prosperity Partnership of North America: (*a*) what is the current status of this initiative, including details of any activity in relation to this project in the last 20 months; (*b*) what are the details of any direction on this file in the last 20 months; and (*c*) what legislative or regulatory changes or initiatives are being planned in relation to this ongoing initiative?

(Return tabled)

Question No. 132—**Hon. Charles Hubbard**:

Within the Atlantic Canada provinces of New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland and Labrador, during the period from July 2, 2007 to September 21, 2007, inclusive: (*a*) what was the number of employment insurance claims submitted, by office location; and (*b*) what was the number of claims administered and finalized for payment, by office location, (i) within 4 days or less including the 4th day, (ii) within 5-8 days including the 8th day, (iii) within 9-13 days including the 13th day, (iv) within 14-18 days including the 18th day, (v) within 18-23 days including the 23rd day, (vi) within 24-28 days including the 28th day, (vii) requiring more than 28 working days from the date of submission by the applicant?

(Return tabled)

Question No. 133—**Mr. Dennis Bevington**:

With regards to the Canada Shipping Act: (*a*) what are the names and nationalities of all military and coast guard vessels which registered with the Eastern Canada Vessel Traffic Services Zone since January 1, 2000; and (*b*) what are the names and nationalities of all military and coast guard vessels which registered with the Western Canada Vessel Traffic Service Zone since January 1, 2000?

(Return tabled)

Question No. 138—**Mr. Gilles Duceppe**:

With respect to Canada's involvement in Afghanistan since the 2001-2002 fiscal year, what are the direct costs related: (*a*) to the deployment of the Canadian Forces; (*b*) to the deployment of correctional services; and (*c*) to other costs?

(Return tabled)

Question No. 147—**Mr. Ken Boshcoff**:

With regard to spending by the Department of Indian and Northern Affairs: (*a*) what is the amount per student that is allocated under the Band Operated Funding Formula (BOFF) for education for the 2007-2008 fiscal year; (*b*) what is the historical BOFF amount per student each year for the past 10 years; (*c*) what is the projected BOFF allocation per student for the 2008-2009 and 2009-2010 fiscal years; (*d*) how much additional funding is allocated per student for the 2007-2008 fiscal year towards important supports such as libraries, data management systems, technology integration, language and culture programs and vocational training; and (*e*) what was the projected BOFF per student allocation for the 2005-2006, 2006-2007, 2007-2008, 2008-2009 and 2009-2010 fiscal years under the Kelowna Accord 2005 agreement that included $1.8 million for education?

(Return tabled)

Question No. 148—**Mr. Bill Casey**:

With regard to the findings within the May 2007 report of the Auditor General of Canada, entitled "Chapter 3, Human Resources Management—Foreign Affairs and International Trade Canada": (*a*) what specific actions and programs has the Department of Foreign Affairs and International Trade undertaken to respond to the Auditor General's findings in regards to barriers to spousal employment being a disincentive for employees working abroad; (*b*) what is the percentage of resignations at the department currently attributed to spousal employment issues; (*c*) has the department been, or is it planning to re-address the spousal employment issues listed in the Auditor General's report through the National Joint Council; (*d*) in regards to the department surveying other countries spousal support programs and activities, what has the department thus far learned; (*e*) in regards to sub-question (*d*), what programs and activities does the department plan to adopt or emulate; and (*f*) why does the government not provide as high a degree of spousal support program as is found in other countries?

(Return tabled)

Question No. 149—**Hon. John McCallum**:

With regard to the tax on income trusts announced on 31 October 2006, using the same model that was used to calculate the government's estimates of tax leakage described by the Minister of Finance during his appearance at the Standing Committee on Finance on January 30, 2007, what would the government's estimates of tax leakage have been if the corporate tax rate had been 15% rather than 21% as they were in 2007?

(Return tabled)

Question No. 150—**Mr. Pierre Paquette**:

With respect to transfers of medical files on military personnel and former military personnel: (*a*) where at this time are the medical files on the personnel treated at the military's Deer Lodge Hospital from 1973 to 1976 inclusively, which were transferred by the Hospital to the Department of National Defence and to the Department of Veterans Affairs; and (*b*) what steps must be taken so that military personnel and former military personnel can prove their pension entitlement when their medical files have been lost in the course of a transfer?

(Return tabled)

Question No. 151—**Hon. Shawn Murphy**:

With respect to the Clean Air and Climate Change Trust Fund: (*a*) what was the amount each province and territory received from this trust fund in 2006-2007; (*b*) what conditions were attached to the transfer of funds to the provinces and territories; (*c*) what programs where funded by the Clean Air and Climate Change Trust Fund since January 1, 2006; and (*d*) what is the amount of emissions reduced from the programs funded by the Clean Air and Climate Change Fund by province and territory?

(Return tabled)

Question No. 154—**Hon. Robert Thibault**:

With regard to the Small Craft Harbours Program of the Department of Fisheries and Oceans, what are the total reported landings for 2006-2007 in the federal electoral districts of West Nova, Central Nova, Cumberland—Colchester—Musquodoboit Valley and South Shore—St. Margaret's?

(Return tabled)

Question No. 155—**Hon. Joe McGuire**:

With regards to fisheries allocations to foreign countries, within Canada's 200-mile economic limit on the Bay of Fundy, Gulf of St. Lawrence, Atlantic Ocean, Labrador Sea, Davis Strait and Baffin Bay, outside Canada's 200 mile limit on the Nose and Tail of the Grand Banks, and on the Flemish Cap, what are or were: (*a*) the species allowed for capture; (*b*) the total allowable catch; and (*c*) the actual catch under each allocation, giving for each (i) the Northwest Atlantic Fisheries Organization division or divisions, (ii) the country receiving the allocation, (iii) the date on which the allocation was made, and (iv) the trade or any other consideration which Canada was offered or received in return for that allocation?

(Return tabled)

Question No. 156—**Hon. Maria Minna**:

With regard to pay equity and the initiatives proposed by the government that include education, specialized mediation assistance, and compliance monitoring: (*a*) what educational materials on pay equity have been produced; (*b*) which federal departments, agencies, and crown corporations were such educational materials sent to; (*c*) what site visits have taken place to further inform the employers, chief compensation executive, compensation analysts, and employee representatives of their statutory obligations; (*d*) has pay equity training for conciliation or mediation officers taken place and, if so, how many officers underwent training, when did it take place and how long was it; (*e*) have monitoring visits been conducted throughout the implementation process to reinforce and encourage voluntary compliance and collect information and, if so, how many have occurred and where did they occur; (*f*) has the Labour Program consulted with key stakeholders to gather their views on the effective implementation of these equal pay measures and, if so, what are the names of the stakeholders consulted and when were they consulted; (*g*) has the Canadian Human Rights Commission been invited to participate in these consultations; and (*h*) has the Canadian Human Rights Commission participated in these consultations?

(Return tabled)

Question No. 157—**Hon. Maria Minna**:

With regard to sexual harassment in the federal public service including all departments, federal agencies, and crown corporations: (*a*) what number of sexual harassment cases were reported by women; (*b*) what number of sexual harassment cases were reported by men; (*c*) in what percentage of the cases was the accused reprimanded; (*d*) what steps have been made to raise awareness about sexual harassment in the public service; (*e*) what department had the highest percentage of sexual harassment cases reported based on the total number of employees; (*f*) what department had the lowest percentage of sexual harassment cases reported based on the total number of employees; (*g*) what are the difference in sexual harassment prevention policies between (*e*) and (*f*); (*h*) has the number of sexual harassment cases in the public service increased or decreased in the last ten years; and (i) what was the percentage increase or decrease of '(*h*)'?

(Return tabled)

Question No. 164—**Mr. Peter Julian**:

With regard to the Security and Prosperity Partnership (SPP) working groups: (*a*) what are the regulatory changes, regulatory harmonization, procedural changes, and new programming initiatives proposed by each SPP working group; (*b*) what are the proposal and the proposals that have led, or are leading to regulatory changes, regulatory harmonization, procedural changes, and new programming initiatives, in every area covered by each working group; (*c*) what are the names of any and all sub-working groups along with a description of their tasks and issues to cover; (*d*) what is the lead country, the agency and the department responsible for each sub-working group; (*e*) who are the lead officials and the members for each sub-working group; (*f*) how many person-hours each division with responsibility for a part of the SPP has dedicated to SPP-related tasks, by year for 2005, 2006 and 2007; (*g*) what share, by division, do SPP-related tasks account by year for 2005, 2006 and 2007; (*h*) in which working group and sub-working group are copyright-related issues covered; (*i*) what role have the ongoing SPP negotiations in this area played in the formulation of the government's copyright-reform legislation; (*j*) at which SPP meetings was Canadian copyright reform discussed, and who were the participants; (*k*) how much coordination is there among SPP working groups and their sub-working groups; (*l*) what is the nature of this coordination, for which the government has indicated it has hired several individuals in the Public Safety and Industry Departments; (*m*) what are the duties and responsibilities of these individuals; (*n*) at what level are tradeoffs among the various working groups discussed; (*o*) how does the North American Competitiveness Council (NACC) interact with the sub-working groups; (*p*) how often do NACC members interact with officials working on SPP-related projects; (*q*) who are the lead NACC contacts for each working group and sub-working group; (*r*) what are the names of the senior private sector representatives at the NACC; (*s*) what are the recommendations provided to the government by the NACC since its inception; (*t*) which stakeholders have worked and are currently working with the working groups; and (*u*) what were their specific recommendations?

(Return tabled)

[*English*]

Mr. Tom Lukiwski: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE

MANUFACTURING AND FORESTRY INDUSTRIES

The Speaker: The Chair has received two notices of requests for emergency debates.

[*Translation*]

I would now ask the member for Rimouski-Neigette—Témiscouata—Les Basques to explain her request to the House.

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, on January 11, I notified you in writing that pursuant to Standing Order 52, I would ask you to agree to an emergency debate today on the forestry and manufacturing crisis that, as we know, has been going on for many months in Canada and especially in Quebec. This debate would focus on the government's response to that crisis.

I am therefore making that request now. I am asking you to recognize that an emergency debate is essential today, because there is urgency. I will make four brief points.

There is urgency first because of the need to address an issue that is like a natural disaster, because all the people working in the forestry and manufacturing industries are in the same situation as people affected by ice storms, floods or forest fires. Here too, we are faced with human drama with disastrous, devastating consequences.

Second, the forestry crisis is affecting thousands of people across Canada.

Third, parliamentarians, who represent all Canadians, need to put targeted assistance in place for a targeted problem—today.

Fourth and finally, parliamentarians must hold a debate today and find a solution today for a problem that should have been dealt with months ago.

Thank you, Mr. Speaker, for listening to me. I hope you will grant my request.

● (1520)

The Speaker: I have received a second request that I will also hear before deciding about the first one.

[*English*]

The hon. member for Winnipeg North has also submitted a request.

ABORIGINAL AFFAIRS

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I seek your serious consideration of this request for an emergency debate on the critical situation facing children in first nations communities.

S. O. 52

I believe this debate is required to allow parliamentarians an opportunity, which is not before us now nor has been before us in previous times in the House, to look at the treatment of children in first nations communities who are being sexually exploited and who are turning to suicide and to address the absence of child welfare services particularly on reserves.

It is a matter of urgency when we consider the tragic death of Tracia Owen who died not too long ago as a result of her horrible experiences and when we consider the response by Judge John Guy who gave his report on January 11, which clearly cites the failure of the federal government to properly protect children from sexual exploitation and to prevent abuse of children in these regions of our country.

Roughly 6% of children in first nations communities are in care compared with 1% nationwide. The aboriginal youth suicide rate is 7% higher. The disproportionate number of aboriginal children victimized in the underage sex trade can only be guessed at.

We know, in response to this serious report, the Manitoba government has embraced the call for further supports, however, the federal government continues to underfund first nations children's services by an estimated $123 million per year, or 22% below comparable provincial program funding and continues to employ an outdated apprehension-centred approach that denies children and families the urgent prevention and help that they need.

Aboriginal children, Mr. Speaker, are in desperate need of a new policy direction from Parliament. I urge you to consider this request seriously.

[*Translation*]

The Speaker: The Chair has examined the two requests from the hon. members about these two subjects.

[*English*]

I note that there are two procedures available to hon. members in respect of emergency debates, if I can call it that. One is the emergency under Standing Orders, which have been applied for in this case. The other is House leaders of parties can agree to a request for a take note debate on subjects that may be of considerable interest to hon. members.

[*Translation*]

I believe that the subjects mentioned by the hon. members for Rimouski-Neigette—Témiscouata—Les Basques and Winnipeg North are certainly of general interest to many, if not all members.

[*English*]

However, I do not believe that either of the requests meets the exigencies of the Standing Order for an emergency debate at this time. Accordingly I am declining both requests at this time.

The Chair has notice of a question of privilege from the hon. member for New Westminster—Coquitlam and I am prepared to hear her now on that point.

PRIVILEGE

STATEMENTS REGARDING AFGHAN DETAINEE POLICY

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, I have a question of privilege to raise regarding statements made by the Minister of Foreign Affairs in the House.

As the result of recent media reports and statements by the Prime Minister's Office, I believe the minister has been less than truthful with the House about the government's detainee policy in Afghanistan. Specifically, I believe that in answering the question I posed on Thursday, November 15, 2007, which appears on page 935 of *Hansard*, the Minister of Foreign Affairs misled the House.

I asked whether the government had the capacity to track detainees and I raised doubts about whether the current agreement on the transfer of detainees was being followed.

In response, the minister assured me:

> We released yesterday all of the details about what we are doing right now and what we did in the past. It is very clear. It is very transparent.

It was recently revealed that all transfers of detainees in Afghanistan stopped on November 5, 2007. I posed my question nine days later and the minister made no mention of this change. I believe the Minister of Foreign Affairs deliberately misled the House because he did not provide all the information at that time that was available to him.

The updated agreement on the transfer of prisoners was coordinated by the Department of Foreign Affairs, and I have an affidavit that was filed in Federal Court to this effect. I will table that document if you wish, Mr. Speaker.

The Minister of Foreign Affairs is the minister responsible for this policy and if there were any change in the protocol for detainees, he should have provided a fulsome response to my question. If the minister truly believed that he could not give a full response because of operational security, he should have told the House that. Instead the minister went out of his way to say that he was releasing "all of the details" and that he was being "very transparent".

If the minister wishes to inform the House that he was misinformed, I would like to give him an opportunity to do so. Failing that, Mr. Speaker, I would ask you to consider the matter. Should you find a prima facie breach of privilege, I would be prepared to move the appropriate motion so this matter could be dealt with by the Standing Committee on Foreign Affairs and International Development.

● (1525)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, in response to the hon. member's question of privilege, I would ask you to check please, if you have not already done so, records in *Hansard*. I can assure you that there were no misleading statements whatsoever offered by any of our ministers with respect to the Afghanistan detainee question.

I would also point out that, as stated again in today's question period, there has been absolutely no change in policy, as the hon. member suggests. In fact, the policy remains the same, and that response has been given by the Minister of National Defence and the Minister of Foreign Affairs time and time again.

Last, I would point out that in previous rulings, and I believe this has been consistent throughout the years, the question of privilege that the member speaks of is actually a point of debate.

I would ask, Mr. Speaker, that you would make a ruling as expeditiously as possible to dispense with this matter.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I will simply add that, in my opinion, the NDP member is right and that, unfortunately, the Conservative member is wrong. Incidentally, that was the subject of my question today.

As members of this Parliament, we felt somewhat offended. This is an infringement on our rights. In my opinion, we are here as representatives of the public and the public has the right to get all the information on the issue of Afghan detainees.

I can say that Canadians and Quebeckers want Afghan detainees to be treated with respect, according to the Geneva convention. Over the past few weeks, the ministers have given us answers that did not reflect this. The culture of secrecy continues to exist, not only in the Canadian Forces, but also here in this House. This is evidenced by the fact that when we put questions to the Minister of National Defence on November 14, and to the Minister of Foreign Affairs on November 19, they both knew that transfers of detainees had stopped on November 5, but they did not mention it. They simply continued to deny the reality, and they referred us to an agreement that they had themselves decided to stop implementing. They also told us that there was no problem with the process, that everything was just fine, when in fact this was not the case at all and they themselves had put a stop to these transfers.

Today, they would have us believe that they had nothing to do with this issue; that these are military operations. But the fact is that the civilian authorities have the first and last word on military operations. It is up to them to make decisions on such an important issue, and to ensure that all the information is provided to members of the House of Commons, but they did not do that.

I am urging you to follow up on the proposal made by the hon. member. The Bloc Québécois supports her request.

The Speaker: I would like to thank the member for Saint-Jean and the member for New Westminster—Coquitlam, as well as the Parliamentary Secretary to the Leader of the Government in the House of Commons for their comments on this question of privilege.

[*English*]

I will review the statements they have made.

Perhaps the hon. member for New Westminister-Coquitlam would be kind enough to forward a copy of the affidavit she referred to in her argument. It need not be tabled, but she can send it to me. I will review that as well as the questions to which she referred and the answers given by the minister and come back to the House with a ruling in due course in this matter.

I thank all hon. members for their submissions on the point.

GOVERNMENT ORDERS

● (1530)

[*English*]

CANADA TRANSPORTATION ACT

The House resumed consideration of the motion that Bill C-8, An Act to amend the Canada Transportation Act (railway transportation), be read the third time and passed.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very pleased to rise today to speak on Bill C-8, which people will remember was previously Bill C-58 and which is an act to amend the Canada Transportation Act. We are dealing in this case specifically with railway transportation.

I have already regaled the House with the rich history of my family in that I come from a long line of railway magnates. My great-great-grandfather was John P. McNeil. The "P" did not stand for anything. It was just that every man in the village of Iona was named John so they had to distinguish him from his eight brothers whose first names were all John as well. There were John Roderick, John Francis, John Albert, John Alec and John P. They ran out of names because the Scottish only name people after dead people and there just were not that many dead people in the family.

The great John P. McNeil was a porter on the Sydney Flyer. My grandfather told me that the family did not eat at night until John P. came in. It did not matter how late. The kids would wait out in the hallway for John P. to come in. He would sit down and when he had finished eating, he would say, "McNeil has dined". That meant the children could eat.

That is actually a tradition that goes back to the 1200s and even before that when the McNeils were on the island of Barra. It was a raiding base for the Vikings. The McNeil, who was the clan chieftain, claimed the right to eat before all the lords of the earth. That is an actual historical fact, not that any of my relatives ever lived in the castle. I think they pounded seaweed on the shore for a living and then were sort of unceremoniously removed from their land and sent to Cape Breton, where they had to find work. Some of them went to the coal mines, but John P. worked on the Sydney Flyer.

Mr. Speaker, I know you are waiting for me to get to the punchline, but I think it all adds to the story.

I do not know if John P. had many great skills, but one of his skills was that he could always tell that a bootlegger was coming into Sydney. When they were coming in on the train, he would say, "A man who has a bottle of whisky in his suitcase always puts that suitcase down with just a little more care than if it was just his long johns".

Of course there was not enough work for all the McNeils, so they had to move to Ontario and work in the mines. The ones who did not want to work in the mines worked on the railway, the great Temiskaming and Northern Ontario Railway. Part of my long, illustrious history is that my uncles, Andy and John, were porters on the T and NO Railway.

My mother tells the story about their travel along that railway from Timmins to North Bay in the summer. They would load up on the car in Timmins with a ticket that would last them as far as Schumacher, which was about two miles down the road. They would have their sleeping bags and coats. Obviously they were going on a long trip. They were always terrified that someone was going to notice that their ticket was for only two miles, not for 250. My uncles knew everybody on the train and used to travel up and down the train line for free to go stay with the aunts.

I know, Mr. Speaker, that you are wondering what this is all leading to. It speaks to my passion and yours. I am very glad that you are in the chair because of your deep love of history and railway. I know that you will give me a little leeway to sort of draw out what exactly the point of this discourse is.

I would like to move forward now to the 1980s and my own interest in the railway. We are talking about the government and its vision for infrastructure. It is putting in all kinds of effort on the gateways and ports but if people ever travel across this country they have to understand that it is not just the gateways, the ports or the megaprojects that make infrastructure work in this country. It is actually being able to connect them to the various places that makes it work, which of course goes back to my family's history on the railway.

The railway plays an important role in connecting. We have seen over the last number of years how much of the railways have been left. In some parts of the country they are being torn up and there are other areas where we have not built the necessary infrastructure.

As I said, I would like to speak about the 1980s, when a famous Scottish band came to Canada. This is a true story, although I know it sounds like a joke. A Scottish band came to Canada. I think it was called Aztec Camera. The band members landed in Halifax at that great port and then flew to Montreal. They played in Montreal and then drove to Ottawa. They left Ottawa and drove along the great highway. When they got to Toronto they thought, "This is what we always thought North America was". Then they were told, "Your next gig is in Winnipeg. There is the bus. Now drive to Winnipeg".

● (1535)

About 16 hours up the highway on the way to Winnipeg, a highway consisting of two lanes of traffic, moose every 10 feet, trees and no lights, the road manager looked at the driver, who was Canadian, and asked him if he could not have picked the Trans-Canada Highway to travel across the country. The driver said they were on the Trans-Canada Highway.

Anyone who has driven across this country knows that long, terrible drive through northern Ontario. Northern Ontario is made up of some of the prettiest country in the world, but Highway 11, which I live on, is in a terrible state. It is the truck transportation route for this entire country. If goods have to be moved west to east, they have to be moved along that little strip of moose pasture that runs between the rocks. People in northern Ontario ask why so many trucks need to be on these two lanes of traffic when the rail line is sitting right there and half the time is empty. That is the issue in northern Ontario.

We need to connect the infrastructure of this country so we do not just have great port plans and great transportation links with our major trading partner, the United States. We need a forward looking plan to ensure that goods coming off container ships from the Far East can be transported across this country in an efficient, economical and environmentally friendly way. The train, of course, takes on an important light.

Our role in Parliament is to look at how to improve the transportation networks of this country. Bill C-8 addresses a number of concerns that have been raised by shippers dependent on railway transportation. Over the years shippers have raised many legitimate concerns about how pricing is done on railways and about access to goods.

They also have raised concerns about the duopoly that exists right now with Canadian Pacific and CN and their ability to basically call the shots for anything that is going to be shipped in certain areas of the country. This financial stranglehold has a major effect on competitiveness and trade.

Many people who ship goods, whether they are agricultural products or products being shipped out of a mine's large bulk operations, are very dependent on the prices they receive from CN or CP for the cost of bulk transportation. Under a duopolistic regime, these shippers have very few alternatives to get their products out.

We know that there are 30 federally regulated railways in Canada, but many rail shippers are still captive shippers who are still dealing with these two big players. We need to look at how we ensure fairness in a system that does not have major competition and a system where it is not practical to bring in competition on these lines.

One of the changes we are looking at is a change to ensure a little fairness in pricing and how pricing is done so shippers get a fair deal, whether they are shipping grain or copper concentrates to ports.

The amendments to the Canada Transportation Act in Bill C-8 would help address some of the shipper concerns about rail service and rates that have been raised time and time again while at the same time providing regulatory stability to the railways to encourage needed investments to keep our exporters and importers competitive in international markets. This is key. We really need to ensure that the railway system maintains a sense of strong commitment to invest.

As Canadians, of course, we want to invest in our railways because they do play such a vital role and they always have, the Brian Mulroney regime notwithstanding.

A number of the amendments brought forward in Bill C-8 were actually developed in concert with shippers who brought their concerns to Parliament.

We are looking at the regulatory impact of the bill. One amendment would remove the requirement for a shipper to prove substantial commercial harm before applying to the agency for certain competitive remedies. That is a fair amendment. It is unlikely to be abused because we are talking about long term customers of the railway.

We also need to allow shippers to jointly apply. Right now they can apply only individually for final offers of arbitration on a common matter. If there are disputes, they could be grouped together and thus would not be drawn out. A ruling could be received fairly quickly.

We need to give the agency the authority to establish charges or the associated terms and conditions that would apply to shippers for the movement of traffic or incidental services.

● (1540)

This also will allow for the suspension of any final offer arbitration process if both parties consent to pursue mediation.

Again, these are reasonable requests that are being brought forward to actually help address these longstanding concerns.

It would also permit the CTA upon the complaint of a shipper to investigate charges and conditions for incidental services and those related to the movement of traffic contained in a tariff that are of general application and establish new charges or terms and conditions if it finds those in the tariff to be unreasonable.

Once again, I think these are all fairly straightforward and reasonable.

This would increase the notice period for augmentation in rates for the movement of traffic from 20 to 30 days to ensure that the shippers receive adequate notice of rate increases. Once again, when we are dealing with large bulk transport we need to have some sense of security and some sense of stability in terms of pricing if we are dealing with products.

It would require the railways to publish a list of rail sidings available for the grain producer carloading and to give 60 days' notice before removing such sidings from operation. Once again, if we are going to take out some of that infrastructure that people are dependent on, we have to give the shippers some advance notice so they can begin to make other arrangements.

We also need to ensure that the abandonment and transfer provisions apply to lines that are transferred to provincial short lines and subsequently revert to a federal railway, including the obligation to honour contracts with public passenger service providers.

This is a fairly straightforward and fairly technical bill in which the government is trying to bring in these amendments. As I said, it is to give our shippers some sense of fairness in a market that does not allow very large scale competition. We all know that markets with more competition are generally ones that will favour larger investment and larger use, but certainly with railway, because of the incredible cost of infrastructure and also the history, we have the two big giants. We have always had the two big giants, augmented by many smaller lines and by provincial lines.

In my own region, the Ontario Northland is a provincial line that runs from Hearst. It used to be by rail but now it is by bus. From the Kapuskasing-Cochrane region and actually from Moose Factory the train line runs provincially down south to North Bay, and from North Bay south it becomes one of the CN lines. We are still moving provincial goods along that line. It is still a provincial railway.

It is of paramount importance in our region, because right now if we want to move out any of the goods from the mines, in particular the sulphuric acid cars that are coming out of the Horne smelter in Rouyn-Noranda and the Kidd Creek smelter in Timmins, it is superior by far to move it on the train lines.

These are massive bulk operations, so the shippers need to have some security. As well, we are moving out copper concentrates and zinc concentrates from the Horne smelter in Noranda and also from the Kidd smelter in Timmins. We need some stability in regard to knowing the pricing. As for what is being forwarded in this legislation, even though it is coming in on a provincial line, as I can see from my own region and our dependence on railway traffic, these changes are practical.

Certainly in western Canada the rail lines play an incredible role in the movement of goods and people. As we know, when we are driving across the country and we get to one of those rail sidings when the grain cars are coming along, we can pretty much read from one end of the newspaper to the other before the train has passed.

I am always thrilled to see those train cars come along. I see them coming to the port in Thunder Bay where they end the journey so the freight can then travel by boat. When we see how much can be transferred on those lines, it is truly impressive.

Certainly with the whole move we have seen to the container shipping system, which has actually revolutionized transportation and commercial dealings around the world, we in Canada need to make sure that our railways are in the game and are there with prices that shippers can actually trust so they choose the railway as opposed to simply putting their product onto our overstretched highways.

Whether it is provincial or federal, the investment in highways just has not kept up. In so much of our country, as I have said, we are dealing with two lanes of traffic, except on the busy 401 stretch. Having that massive amount of truck traffic has not been a bonus for our economy. It is costly to the taxpayer because of the impact on roads. We do have a railway system, but we need to ensure that system.

● (1545)

Before I close I will speak a little bit about the whole vision of a national infrastructure plan. As I said, the government is focused on the terminal ports and the gateways for trade, but in order to make trade work in this country we need a vision that says infrastructure and transportation go hand-in-hand. Whether it is the port or whether it is the highway, the two lanes of thin traffic that has to cut through the Canadian Shield carrying the goods, that has to be part of the equation as well.

Infrastructure also goes all the way down to a vision for our municipalities. They are increasingly having to carry the burden of maintaining infrastructure that used to be provincial or federal.

In my little community of Iroquois Falls over 30 kilometres of public highways has just been downloaded and called local roads. There is no base in the taxation to cover off the cost of those roads so they eventually start to deteriorate. It makes it very difficult to attract business to regions when the fundamental infrastructure, whether it is roads, bridges or sewage, begins to deteriorate because the ratepayers, average citizens, are having to pay for it on their water bill or municipal housing bill because there is no provincial or federal commitment to infrastructure.

We have to make infrastructure a priority in the House. The infrastructure deficit being felt across our municipalities right now is affecting regions of the country to maintain a competitive ability to attract business.

I had wanted to speak about infrastructure because railway is part of infrastructure and I will end on that and say that we are very interested in Bill C-8. We think it is a practical bill and the kind of bill that has been brought forward because there have been consultations with many of the shipping and trade associations, including the Canadian Wheat Board. I know that might upset some of my Conservative colleagues but the Canadian Wheat Board certainly felt that there were issues dealing with grain transportation and fairness of price.

We spoke with the Forest Products Association of Canada. We are hauling logs through northern Ontario. I know that in northern Canada rail plays a big part in hauling our wood, our finished products and our logs.

The Canadian Canola Growers Association is in support of this along with the Mining Association of Canada. If are going to do large scale mineral development in this country, at the end of the day we have to ship the products out and rail, by far, is the vehicle of choice to move concentrates or finished products out of mining operations to the ports, particularly the ports on the Pacific right now because the Chinese boom has certainly fuelled a major boom in base metals. We know that is a fact in my region of Sudbury as well as Rouyn-Noranda and Timmins. The railway plays an incredible role in the movement of base metals to serve the expansion in the Far East.

The Western Grain Elevator Association has shown its support for the bill along with Pulse Canada and the Inland Terminal Association of Canada.

At the end of the day, we are talking about some practical amendments to the Transportation Act to ensure fairness of price and that the overall dominance of the market by the two big giants does not come at the expense of the people who need to be able to ship products, who need certainty in price so that they can make long term planning decisions and investments in the economy that will help it continue to grow in the 21st century.

I look forward to seeing the hon. Speaker tonight at the Robbie Burns dinner. I know he apparently has some Scottish background. As one who also has a Scottish background, I wish him all the best, two days after Robbie Burns day.

The Deputy Speaker: I thank the hon. member for his good wishes in that respect.

Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to, bill read the third time and passed)

* * *

● (1550)

SETTLEMENT OF INTERNATIONAL INVESTMENT DISPUTES ACT

The House proceeded to the consideration of Bill C-9, An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention), as reported (without amendment) from the committee.

Hon. Tony Clement (for the Minister of Foreign Affairs) moved that the bill be concurred in.

The Deputy Speaker: There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. Tony Clement moved that the bill be read the third time and passed.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I am pleased to speak today in support of Bill C-9, An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention), which I will refer to as "the convention".

The convention was sponsored by the World Bank to facilitate and increase the flow of international investment. It establishes rules under which investment disputes between states and nationals of other states may be resolved by means of conciliation or arbitration. It also creates the international centre for the settlement of investment disputes, known as ICSID.

Bill C-9 implements the ICSID convention for Canada. It deals with enforcement of ICSID awards for or against the federal government and foreign governments, including the constituent subdivisions designated by foreign governments.

The convention deals with what is commonly called the resolution of investor-state disputes. Such disputes arise in a variety of situations. For example, they can arise when a state where a foreign investor has invested adopts laws affecting the activities of the investor in a discriminatory manner or nationalizes the investment.

International arbitration is a recognized method for resolving disputes. It provides a way of resolving legal issues without resort to the domestic judicial process.

It has long been recognized that when parties to a dispute have recourse to arbitration, the result of the arbitral process ought to be recognized by the courts. Thus, for example, the awards resulting from commercial arbitration, in other words from arbitrations between business enterprises, are recognized and enforced by courts.

The decision as to whether to have recourse to arbitration or the judicial process is a decision for the parties to dispute. This flexibility is welcomed in many types of situations.

In the case of the convention being implemented by Bill C-9, one of the big advantages of having recourse to arbitration is that it "denationalizes" the process. Let me explain.

When a dispute arises between a foreign investor and the host country, one of the options is for the investor to pursue the case before the courts of that host country. In most cases, as would be the case in Canada, the foreign investor would benefit from a fair and equitable process; the national court would not prejudge the matter and would render a decision in conformity with the law.

However, in some situations this might not happen. The tribunal might favour its government to the detriment of the foreign investor.

The fact that the parties to an arbitration can select the arbitrators who will hear and decide the case is another advantage of the arbitral process. If the dispute involves a specialized matter, for example, petroleum exploration, or maritime issues, the ability to choose arbitrators with specialized knowledge on the subject matter of the dispute can make the entire process work much better and can lead to better decisions.

The arbitration mechanism established by the ICSID convention is one that is used for disputes between investors and states. The convention has been ratified by 143 states, making it one of the most widely ratified of all international instruments.

The distinguishing feature of ICSID, what makes it uniquely valuable, is the enforcement mechanism which this legislation will implement for Canada. The ICSID enforcement mechanism is very effective. This effectiveness contributes to the protection of the investor. ICSID's enforcement mechanism lies at the heart of the effectiveness of the ICSID convention.

An arbitral award from any other arbitral body is subject to review by a domestic court before it can be enforced, but an ICSID award merely has to be presented to a domestic court with a request that the court enforce it. Under Bill C-9 the award must be recognized and, with this recognition, enforcement mechanisms become available immediately. Enforcement could include payments seized by officers of the court.

In the great majority of cases the losing party in an arbitration will pay the award of an arbitral tribunal without the need for the successful party to take any enforcement proceedings. The same is true for investor-state arbitration.

● (1555)

In Canada, arbitral awards, including investor-state arbitral awards, are currently enforced pursuant to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

The New York convention permits a limited review of an arbitral award by domestic courts. It allows a court to refuse to enforce an award if to do so would be contrary to the public policy. In addition, it permits a state to exclude certain subjects from the application of the convention and thus from enforcement.

The ICSID provides a better enforcement mechanism. It does not permit a state to exclude from dispute settlement any matter which the state has consented to submit to arbitration. The ICSID awards are enforceable as if they were final decisions of a local court. This simple, efficient mechanism guarantees better protection for Canadian investors abroad.

Clause 8 of the bill authorizes any superior court in Canada to recognize and enforce awards as described in the bill. The Federal Court is a superior court. The Federal Court would have jurisdiction over awards involving the Government of Canada and awards involving foreign governments or their constituent subdivisions designated under the convention.

In addition, the ICSID convention provides explicitly that the ICSID awards are binding between the parties and once parties have agreed to arbitration they cannot seek remedy before another body, such as courts of justice.

Therefore, it is not open to a foreign tribunal to refuse to enforce an award on the basis that the ICSID arbitration tribunal has exceeded its jurisdiction or was not validly constituted. These kinds of issues can affect enforcement of awards other than ICSID awards, thereby delaying resolution of the dispute. The ICSID does not permit such dilatory tactics.

Section 7 of the bill provides that an ICSID award is not subject to any remedy by a Canadian court. Remedies thus prohibited would include appeal, review and nullification. The decision to have recourse to arbitration is entirely voluntary, but once the parties have consented to ICSID arbitration they cannot seek review in another forum, such as the courts.

The only review of an ICSID award, if a party to a dispute considers it contains errors, is the review process provided by the convention itself. It provides that a request for revision, interpretation or annulment of an award must be made to the secretary-general of the ICSID. This procedure allows the parties to avoid having national courts involved in assessing allegations that claim there is something wrong with an award, while at the same time ensuring the awards which are erroneous can be corrected.

There are numerous reasons to support Canada's adherence to the convention. It would provide additional protection for Canadian investors abroad by allowing them to have recourse to the ICSID arbitration in their contracts with foreign states.

It would also allow investors of Canada and foreign investors in Canada to bring investment claims under the ICSID arbitral rules where such clauses are contained in our foreign investment protection agreements and free trade agreements.

To date, 143 states have ratified the ICSID convention. The majority of our trading partners are parties to it, except for Mexico, India and Brazil. Ratifying the ICSID would bring Canadian policy into line with our OECD partners. In a survey conducted by the ICSID center in 2004, 79% of the respondents said that the ICSID played a vital role in their country's legal framework and 61% said that the ICSID membership had contributed to a positive investment climate.

We know, anecdotally, that Canadian investors are trying to find ways to benefit from the ICSID, even though Canada is not party to the convention. Firms have, for example, arranged investments through a third country that is party to the ICSID. However, such convoluted financing is not possible for all investments by Canadian investors.

● (1600)

International investment arbitration is growing in importance. The stock of Canadian direct investment abroad in 2005 increased to a record $469 billion. As a result of the globalization of investment, the number of investment disputes has greatly increased in the last five years.

ICSID arbitration has soared: only 110 ICSID arbitrations have been completed over the past 40 years but 105 proceedings are now under way. The NAFTA parties alone have faced over 40 investor-state arbitration claims since NAFTA entered into force.

The tremendous growth in investment and investor-state disputes has made Canada's failure to ratify the ICSID the focus of attention by Canadian businesses, the Canadian legal community and our trading partners.

The ICSID regime provides several important advantages. Compared to other arbitration mechanisms, the ICSID regime provides better guarantees regarding enforcement of awards and more limited local court intervention.

Any arbitral award rendered under the auspices of ICSID is binding and any resulting obligation must be enforced as if the award were a final domestic court judgment. Moreover, all ICSID contracting states, whether or not parties to the dispute, are required by the convention to recognize and enforce the ICSID arbitral awards.

Investors often prefer to rely on such arbitrations rather than on the local courts of the country whose measures are in dispute to ensure an independent resolution of the dispute.

The ICSID's relationship with the World Bank assists investors in obtaining compliance with the ICSID award and its roster of arbitrators gives investors access to well-qualified arbitrators at ICSID controlled rates, with extensive experience in international investment arbitration.

The ICSID also provides important institutional support for litigants. The ICSID convention is a well known tool for settlement of investment disputes. Therefore, the interpretation of the convention and its usefulness are predictable.

Canada already has numerous links with the ICSID. Provisions consenting to ICSID arbitration are commonly found in contracts between governments of other countries and Canadian investors. The NAFTA in chapter 11, the Canada-Chile FTA and most of our bilateral foreign investment protection agreements known as FIPAs all provide for the ICSID as a dispute settlement option that can be chosen by an investor if both the state of the investor and the host state for the investment are party to the ICSID.

However, Canada and Canadian investors cannot benefit from this choice if Canada is not a member.

It is important that Bill C-9 be passed in order to facilitate adherence by Canada to the ICSID convention as soon as possible.

● (1605)

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, for me this has a bit of the same feel to it as the multilateral agreement on investment did under the former Liberal agreement. I have concerns about transparency and about accessibility for people to actually participate in the process.

However, I guess my most important concern focuses on accountability. As I look at all of this, the decisions issued through an ICSID arbitration are binding and there are limited grounds under which the process can be appealed. They are all very narrow reasons. They include: the tribunal was not properly constituted; it manifestly exceeded its powers; there was corruption on the tribunal; there was a breach in the rules of procedure; or, the award failed to state the reasons on which it was based. These grounds make absolutely no allowances for other substantive reasons for which a sovereign state might well decide, for the benefit of its citizens, to disagree with an arbitration decision.

I wonder if the member could elaborate a little more on why he feels comfortable, as a member on the government side, to do this to the Canadian public, to support a process that, as I said earlier, has no transparency, no accountability and no accessibility.

Mr. Deepak Obhrai: Mr. Speaker, I thank the member for asking a question that many would want to ask. She wants to know why we have the ICSID convention because it is under the World Bank and it gives transparency under the World Bank rules to ensure that what she has expressed as a concern is overridden. The confidence level given by this convention is what investors are looking for.

However, there is a provision in the convention where the secretary-general of the ICSID can accept a request for a revision, interpretation or annulment of an award.

As I mentioned in my speech, this convention, as signed by 143 countries, has put international confidence in the mechanism for investment where both the investor and the government can have confidence. We cannot have confidence on one side where we can say that the investor is subjected to a government board or a court of law where he feels he did not receive justice.

At the end of the day, the issue is about receiving fair treatment and justice and that it is transparent. This convention provides that, which is why 143 countries have signed on to it.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I listened carefully to the parliamentary secretary's comments on the bill and certainly listened carefully at committee to presentations and representations by those who brought forward their opinions.

At committee we heard from those who are backing this bill that the sky would not fall and that productivity and investment would still continue if the bill does not pass. If we were to listen to the government and the official opposition party, we would think that this is something that we need, that this is key to Canada's success and to investment coming into Canada.

However, what was not touched upon is the opinion of some of the provinces. I find it passing strange that the Bloc will be supporting the bill because it would actually take away, in some respects, sovereignty, particularly in the case of financial oversight from Canada. I am surprised that the Bloc would support taking decisions that could be made here in Canada and really throwing them over to the World Bank which, as we know, is situated elsewhere. That is not to mention the concerns people have had as of late in terms of transparency and accountability at the World Bank. I need not go into that narrative. It is a long one and we know the recent problems at the top.

At committee we heard very clearly that notwithstanding that countries have signed on to this, this is a file that has been around for quite awhile. We also heard that this would not guarantee increased investment but that there is jeopardy in terms of handing over accountability.

Why would the government, which has told the Canadian public many times that it believes in accountability in its own operations, hand this kind of process procedure over to the World Bank when those decisions should be made right here in Canada, have Canadian oversight and remain a tool that we can use? Once we sign on to this, we are handing it over to another institution and, indeed, to another jurisdiction.

● (1610)

Mr. Deepak Obhrai: Mr. Speaker, one would not expect the NDP to look at the advantages of foreign investment in Canada. The member seems to forget the other side of the coin with investment going out of the country.

Over 45% of Canada's GDP is based on imports and exports. We are a trading nation. We need prosperity. We need mechanisms that not only provide for foreigners to invest in Canada but provide Canadians with the opportunity to invest overseas as well. That is the way our country prospers. We need mechanisms in place that would give confidence to both sides of the coin.

The NDP would never want that. The NDP wants Canada to live in a cocoon of its own. I am happy to say that is not what Canadians want. That is not what the Canadian business community wants either. With 143 states signing, this gives confidence now.

It is surprising to me that NDP members are today saying that they have no confidence in the World Bank because they are known as the biggest supporters of the World Bank. At the end of the day, those members want development and all these things. The World Bank is one of the institutions that does that.

We do have dispute mechanisms in other areas. As I alluded to in my speech, this is one of the best dispute mechanisms and it would give investor confidence to both sides of the business community.

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, transparency is one of the things the public is particularly concerned about not only in this agreement but with government processes in particular. People tell me that they have no idea what is going on, that they do not know how to get information and that the information seems quite secretive.

There will be no transparency in this process because the agreements will not be released to the public. The public will not know how the agreements are awarded. If we are interested in transparency or in making a cogent decision, it is interesting to note that there is no allowance for third party, or amicus curiae as the document refers to, to get more information on a decision about to be made.

The bill states that once the consent of a party is given it cannot be revoked. I understand the need for stability and that consent is not given lightly because many things may be dependent upon that. However, it is very worrisome to say that under no circumstances, no matter what happens, consent cannot be revoked. We are not always able to foresee the future. We are not able to say that it will always be fine under these circumstances, that this will be a very binding agreement.

Decisions about how the awards are made will not be available to the public. These decisions will affect the public both here in Canada and abroad in a variety of ways. For the public not to have access to this kind of information because of the lack of transparency is a problem.

Could the parliamentary secretary perhaps describe why no information about the awards should be made available to the public under any circumstances?

● (1615)

Mr. Deepak Obhrai: Mr. Speaker, this dispute is between two parties that have agreed to go in front of an arbitration tribunal. Therefore, it is important to recognize that when two parties go there, they decide what they would like to discuss and how, and they like to keep their affairs out of the public domain unless it is part of a public policy issue.

When an investment is made, the laws of the country are always maintained. As the Parliament of Canada, we create the laws as to how companies will operate in Canada. Any investment that comes into our country will be required to operate under our laws as made by Parliament. That will never change.

The arbitration tribunal will not override the laws of our country. It will only make decisions based on a dispute mechanism for reasons of investment, but our laws, as established by the Parliament of Canada, will be protected.

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, I am pleased to speak to Bill C-9. It is interesting that the government introduced the bill to promote cross-border investment at a time when it has shown a complete lack of understanding and, indeed, incompetence when it comes to this very issue. Nevertheless, the bill would create a set of rules for mutually agreed upon arbitration, which is important, for hearings between investors and foreign governments.

There is no question that 156 countries have signed on to this and over 144 now have ratified this agreement. Therefore, it is important that Canada be one of those, considering some of our major trading partners, including the United States and Japan, have signed on to it.

There is no question, though, that the government, in doing this, has nevertheless mishandled parts of the economy, as we have seen. We look at the forestry industry as a good example. We look at the manufacturing sector. Clearly, we need to be aggressive in international markets. It is important that our investors have certainty in terms of the investment climate, the investment regime when they are investing abroad. The vast majority of countries, as I said, have signed the ICSID. Therefore, it is incumbent upon Canada to do so.

There is no question that increased trade with countries such as China is important and that we have a governing structure that meets the demands and the needs of Canadian investors abroad. They need to have that assurance with regard to an arbitration mechanism. There is no question it is important that we protect and enhance the rights of Canadian investors.

The ICSID convention is an international instrument sponsored by the World Bank. There may be some members who have concerns about that. I do not. In 2006 the transparency aspects of the governance procedures were toughened. It is important to facilitate the increased flow of cross-border investment, something that we know all too much about in this country.

The convention certainly establishes a mechanism which gives that assurance to Canadian investors, something the investment community has demanded for a while. They believe it is important for them in order to do business, and on this side of the House we agree.

It is also important that we have dispute mechanisms because of problems we have seen in the past. Some countries want investment but are not prepared to provide the kind of investment regime that is stable and that provides the rules of the game for investors.

We cannot encourage people to invest abroad in a particular sector if we are not sure if that investment is protected. We have seen cases of nationalization. These are concerns. We have seen problems in Indonesia when we had the situation with Manulife. To deal with that, it was taken to the supreme court in Indonesia.

Having a stable investment regime is important. Having a mechanism to deal with arbitration is critical.

This has been around since 1966. It is interesting that of the 143 countries that have ratified those instruments, many of them are our major trading partners. We need to be in lockstep with them to ensure we are on the same playing field.

Investment disputes are brought under the convention and are administered by the International Centre for the Settlement of Investment Disputes in Washington, D.C. Its activity has increased over the last number of years. At one time it only handled 110 arbitrations in total for 40 years, but as more and more countries have come on board, it is currently dealing with about 105 disputes at the present time. It is obviously a mechanism that people are using. It is a mechanism in which people believe. It is a mechanism that this side of the House supports.

● (1620)

Obviously the centre was established in the very beginning to provide a reliable and effective instrument for resolving investment disputes. I think that is the one thing that we heard at committee. That is the one thing we continually hear: that this gives certainty and that it is the kind of thing the investment community certainly wants to see.

Once this is ratified, it will allow Canadian investors abroad to go out and make contracts with foreign states. They have that option. If they want to go to the ICSID convention, they can do that. It is an option they will have under this agreement.

As well, Canadian investors doing business in a country in which Canada has a foreign investment protection and promotion agreement will have recourse to this arbitration for violators of the agreement. Again, this is providing assistance in that regard.

I think probably the most important advantage is the enforcement of arbitrary awards. Again, this is something that the committee heard about. Again, it is something that we believe is important. Unlike awards issued by other arbitrary institutions, domestic courts cannot refuse to enforce these decisions that are issued under the ICSID. That is important.

Such awards are enforceable in any country, which is important to underline. It can be enforced in any country that has ratified the convention. I think that makes it extremely important for investors and it is why we need to be part of this. When the final judgments are made, they are enforced.

Canada signed this convention in December 2006. In our federation, British Columbia, Newfoundland and Labrador, Nunavut, Ontario and Saskatchewan have already adopted their own implementing legislation. I think it is important that, again in concert with the provinces and the territories, we move forward on this legislation.

When it comes to investment, the international community is very competitive. If a company is going to make a major decision to invest abroad, it needs to have that certainty. As a country, I think we certainly want to encourage good investment. We want to make sure that when our investors are abroad they are not going to be held to ransom or made hostage to arbitrary changes in government policy abroad.

That is why so many countries have signed on. They believe this is an effective way to go and that it does provide the kind of assurance we need. Certainly on the issues of transparency, the committee heard how that was strengthened. At times, I think, it is important to be part of these international conventions, these international covenants, in order to provide the kind of security we need.

Clearly when countries like the United States, the United Kingdom, and Japan sign on, it is important. Japan has the second largest economy in the world. The Japanese are signators. Japan is a very important market for Canadian business. We often overlook Japan and think about China, but Japan has an economy greater than that all of Asia combined, including China. Again, we have tremendous opportunities in Japan.

There may an opportunity down the road to look at a free trade agreement with the Japanese. The Japanese have become very aggressive lately in signing deals with the Philippines and Mexico, countries with large agricultural sectors. For the Japanese, the agricultural sector is very sacred, yet they have been able to come to agreements with those two countries.

The Japanese are watching Canada's negotiations with South Korea very carefully. Obviously we have issues to deal with, not only in the agricultural sector, and certainly in the automotive sector. Of course, our party has made it very clear that we do not want a deal at any price. We want to make sure that our automotive sector has the kind of ability to go into the South Korean market that we see others enjoy, certainly in terms of what the Japanese are doing here. The Japanese are investing in Canada in the automotive sector and the South Koreans are not. Therefore, we cannot do that.

It is important that the Japanese have signed on. The Germans have signed on. The French have signed on. Again, all of these countries have signed on because they realize how important this convention is. For those of us who understand those market conditions, it clearly is important that we are part of this, so we will support the government on Bill C-9 when it comes to passage of this legislation.

● (1625)

Obviously we are concerned that Mexico, India and Brazil have not yet signed on. Again, the need to continue to encourage them to be part of this international convention is important. It is important to look at the benefits for their investors, as well as ours, as we move forward in this regard.

In terms of its international participation in promoting Canadian companies, the government has had a checkered past, but at least this bill will provide rights for our investors in other jurisdictions. At least on this issue, the government has it right.

Unfortunately, the government still does not understand the problems that our own domestic sectors are having, particularly in the forestry, the manufacturing and the auto sectors. These are issues that this party, the Liberal Party, has articulated for a long time.

Clearly because of the good management of previous Liberal governments, we were able to leave an impressive cupboard in terms of the economic tools that the government has been able to use over the last couple of years. The Conservatives did not do it. It was the Liberal government, working with Canadians, that was able to eliminate the $42.5 billion deficit it inherited from the Conservatives and that was able to make us the only G-7 state paying off our national debt. That is a very impressive record.

When the Conservatives talk about the last 13 years, the last thing they want to talk about is the last 13 years of good Liberal economic management. That is okay, because we know and Canadians know the economic record of this country.

We know what is important in terms of dealing with the business community abroad. That is why we will support this legislation. We believe very strongly that good fiscal tools at home and good investment tools abroad obviously are good for Canadians. They will promote jobs and they will secure jobs. We believe very strongly that this is the way to go.

I would suggest that at the end of the day, when presumably this legislation is adopted, the rules of the game will be very clear. They will be helpful. We should see an increase in people wanting to invest and also of course in encouraging other countries to invest here, because the rules work both ways for those who have signed on. Again, we are looking at 144 countries that have ratified this particular convention so it is something that we see as important.

Of course on this side of the House we believe in sound economic principles and obviously we are prepared, when we see good legislation come forward, to work with the government on it. Obviously if there is bad legislation we are not going to support it, but there is no question that in the standing committee we heard very clearly the need for this legislation and the rationale for it. Again, we will support this legislation as we move forward.

I take it that there will not be support from some of the parties in the House, but nevertheless I think that at the end of the day Canadians will be supportive and appreciative of the fact that the right thing was done and the rules have been made very clear on arbitrational issues. I think that is what is needed and we support it.

● (1630)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I thought my hon. colleague's speech was fascinating. It actually fits in very well with an article I was reading in the *Winnipeg Free Press* today. The headline is: “Grits? Conservatives? Same thing. Poll says Canadians find the two major parties interchangeable”. According to the Canadian Press Harris-Decima survey, Canadians “view the two main political competitors—the Conservatives and the Liberals—as interchangeable”.

If we want proof of that, we only have to listen to what we hear from over there. Of course it was the Liberals as the champions of free trade who told us we would have clear investment rules with NAFTA. What we ended up with were secret tribunals under chapter 11.

I will bring forward the example of Metalclad, the company that went after the Mexican government because it felt that its right to dump toxic waste in a neighbourhood in Mexico was violated. Of course the Liberal Party thought Metalclad's position certainly was violated because it was a corporate investor.

Even though a municipal government, working with the state government and the federal government to protect its citizens, came forward with legislation to stop this toxic dumping, Metalclad had the ability to go before the chapter 11 tribunal, which is similar to what is being proposed with the kangaroo court at the World Bank, where there was an unaccountable forum, where the community and the country could not even bring legal depositions before it, and where the appeals process does not exist.

I love this: at the World Bank, it is going to be secret. It does not even have to tell people when they have been stuck in the back so of course the Liberal Party loves this. This is the Liberals' idea of free trade. It fits in perfectly with the Conservatives' idea.

I have a question for the member. Why do the Liberals not just join up with the Conservatives? They certainly have the same view of the World Bank, which is already a discredited institution in terms of development. They would allow unaccountable, hidden tribunals to go forward with no right of appeal. What does that say for the people of this country?

Hon. Bryon Wilfert: Mr. Speaker, the one thing that Canadians will never confuse is the fact that there are only two parties in the House that could be in government and that certainly will not be the member's party. There is no question that when it comes to understanding the economy and investment, it is not that party in the corner.

Obviously the member was not listening. There is no question that when it comes to sound economic policies and understanding them, it was this side of the House, the Liberal Party, in conjunction with Canadians, that was able to turn what was considered by economists and others a basket case in 1995 into an economic marvel. The fact is that we paid off the national deficit and we were paying down the national debt.

The only similarity with the present government in power is that it is simply carrying on the good policies of the Liberal Party in terms of paying off the national debt. That is something the NDP does not know. The NDP is the party that one day stands in the House and says we should spend $5 billion and the next day says we should cut $2 billion. Mathematics is not the forte of the New Democratic Party, so it is understandable that when it puts two and two together and get five those members think that is okay. This side of the House does not believe that.

Let us go back to the point the member was making. In April 2006 the ICSID brought in reforms for transparency: open hearings. Maybe it is okay to have activities at the Montebello in a closed session, I do not know, but on this side of the House we believe in transparency. That is what was brought in: open hearings. Of course there are some caveats when dealing with specific business information, but in general the hearings are open and transparent. The member can read about the changes that occurred in April of 2006. They were established in response to the very issue that the member raises.

Again, Liberals do not support anything which would be done in the backrooms. We believe in transparency and accountability. If the member is suffering from any delusion that his party is ever going to be government, he obviously has consulted Tinkerbell.

● (1635)

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, I am interested, to say the least, in the comments that the member has made, the first one being that it will only ever be the Liberals or the Conservatives that are government. Talk about entitlement, that somehow this member has said that this is an entitlement, that there could only be two parties ever in Canada. I would suggest that perhaps not all Canadians would like their vote nullified and removed.

The other piece I was concerned about was the member talking about following the good policies of the Conservative government. Sometimes it is hard to tell because when members are sitting down during a vote, it is a little hard for me to know whether they are following or not following the policies of the Conservative government.

However, this is a secret tribunal and not every arbitration is secret as we heard argued earlier by the parliamentary secretary. These are secret. There is no access by the public to the results of the arbitration at all, so I do not know how anyone could argue that these are not secret tribunals and the information is therefore not kept secret afterward.

I would like to hear the member describe why he would not describe this as a secret tribunal if only the two parties and the people in the World Bank are the only individuals who are allowed access to that information.

Hon. Bryon Wilfert: Before I directly answer that question, Mr. Speaker, I would point out that for a party that has attacked the government for saying it is the "new government of Canada", the New Democratic Party has been around for about 40-odd years and it is still only at 29 or 30 members. I would suggest that the reality at the moment is that the only two parties that seem to be realistically looking to form a government are the two here.

However, on the question of entitlement, those party members think they are entitled to make all sorts of statements that are not based on fiscal reality and yet expect people to buy them.

In answer to the question, maybe the member should go to the website. If the member went to the ICSID website, she would find that all awards by the tribunal are posted. So, I am not sure what the problem is. If the website posts all details of the awards, the information is there. It does require turning on a computer. It does require that one finds the website and it does require that one reads it. But beyond that, all the information is there.

I would suggest that this is accountability. It is very useful obviously, people are going to look at that. If the member does not have the website, I would be more than happy to share it with her later, but it is important not to suggest or mislead Canadians that somehow this is all done behind closed doors. There is a process.

I have made it very clear what that process is and from that perspective, that information is on the website in terms of all of those awards. Access to those awards is there. That is something we would expect, Canadians would expect, and it is there. Beyond that, I do not know what else to say. Access is right there at one's fingertips.

● (1640)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I was not intending to make a comment or question but I do have to clarify something. I have the blues from committee in my hand and on the question of transparency, indeed there were changes made and proposed April 2006. What is important to note, and I asked the very question in committee to a witness, is that there are a couple of changes. In April 2006 the information I had suggested regarding *amicus curiae* briefs was not allowed and now the member is saying that has changed. The witness was responding with the same information as the member has given.

What it says and what the witness says is that there is a process now to ask tribunals to submit an *amicus curiae* brief or the equivalent of that at the discretion of the tribunal depending on how helpful it can be and how relevant it is.

Yes, there have been changes made. Obligations there are not. When the member says it is absolutely transparent and we can go on the website, I have done it, but one will not get chapter and verse. In fact, all one can get is what the tribunal deems to be relevant, deems to be something that it wishes to pass on. So it is important to clarify that and I would like my colleague to respond to that as well.

Hon. Bryon Wilfert: Mr. Speaker, I have some blues in front of me and as the member knows, the same application applies domestically. There are exceptions, absolutely, but to suggest, as his party has done, that everything is behind closed doors, that there is no transparency and that none of this exists is absolutely, blatantly false. We know that is false.

There are exceptions as there are domestically but the reality is that in the main we have an open, transparent process, and have the ability to look at the renderings of the tribunal. That is what we would expect, that is what is there, and it stands for itself.

[*Translation*]

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Manufacturing and Forestry Industries.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, it is a pleasure to see you and the other members again. Now, the question is how much longer we will be together here for this session. Because of the Conservative government's insensitivity towards the crisis in the manufacturing and forestry industries, which we will debate during the late show this evening, as you said, Quebeckers are becoming more and more outraged with this government. Obviously, when the time comes to make important decisions, we will be here to defend the interests of Quebec, as we always have.

The Bloc Québécois supports passing Bill C-9. Passing this bill will finally enable Canada to ratify the convention on the settlement of investment disputes between states and nationals of other states, and also to become a member of the International Centre for the Settlement of Investment Disputes, or ICSID.

Bill C-9 integrates the requirements of the international convention in the laws of a country, in particular to ensure that arbitral awards are respected and to provide for the immunities required by the centre and its staff. ICSID is responsible for arbitrating disputes between States and foreign investors. There may be two types of disputes: disputes related to compliance with bilateral foreign investment protection agreements and disputes related to agreements between governments and foreign investors. The Government of Quebec regularly signs the latter type of agreement when eliciting foreign investment with the promise, for example, of providing electricity at an agreed price.

Canada's membership will not have any impact on the provinces, except that they too may have recourse to the ICSID when they conclude agreements with investors. The only thing that Canada's membership in the centre will change is that Canada will be able to intervene in negotiations to amend the convention or the rules of the centre and it will enjoy the assurance of being able to join in the appointment of arbitration tribunals.

Ultimately, the ICSID is a tribunal. The problem is not the tribunal or membership in the tribunal. The NDP member asked earlier how the Bloc Québécois could support Bill C-9. Fifty-six countries are now part of that agreement. That is not the problem. Rather, the problem lies in the poor investment protection treaties that Canada concludes and continues to conclude despite the bad examples we have seen, particularly—and I will come back to this later in my speech—concerning chapter 11 of NAFTA.

The Bloc Québécois supports the conclusion of investment protection agreements, as long as they are good agreements. It is completely natural for investors, before making an investment, to try and make sure they will not be divested of their property or that they will not become victims of discrimination. This is the sort of situation that foreign investment protection agreements are meant to cover.

In most cases, investors themselves can submit disputes to an international tribunal, but only once they have obtained the state's consent. However, in the investment protection agreements they have signed, only two countries, Canada and—guess which other country—our friend, the United States, systematically give investors the right to apply directly to the international tribunals. That is a problem, I would even call it a deviation from the norm. By allowing a company to operate outside government control, it is being given the status of a subject of international law, a status that ordinarily belongs only to governments or states.

The agreements that Canada signs contain a number of similar deviations that give multinationals rights they should not have and that limit the power of the state to legislate and take action for the common good. I was speaking about chapter 11 of NAFTA, which unfortunately is now well known. This chapter of NAFTA on investments provides that a dispute can go to ICSID. That chapter is a bad agreement in several respects. I will give you some examples.

The definition of expropriation is so vague that the slightest government action, other than a general tax provision, can be challenged by a foreign investor if it reduces its profits from its investment. Take, for example, the plan to implement the Kyoto accord, which would heavily penalize big polluters and oil companies and could be challenged under chapter 11 and result in the government paying compensation. The Alberta oil companies are in fact mainly owned by American interests. Chapter 11 opens the door to the most abusive proceedings.

Furthermore, the definition of investor is itself so broad that it includes any shareholder.

● (1645)

Therefore anyone could take the state to court and attempt to obtain compensation for a government measure that allegedly reduced a company's profits.

As for the definition of investment, it too is so broad that it even includes the future profits that an investor hopes to earn, even though this is only a projection. In the case of expropriation, not only does the state find itself forced to pay fair market value, but it must also include revenues that the investor expects to earn in future. It would no longer be possible to nationalize electricity, as Quebec did in the 1960s.

We can look at situations that have occurred over the years. For example, SunBelt, a corporation with a Canadian shareholder and a Californian shareholder, closed its doors when the Government of British Columbia withdrew the right it had granted for the bulk export of water. The Canadian shareholder, based on Canadian laws, received compensation equivalent to the value of his investment, or $300,000. The American shareholder, based on NAFTA chapter 11, included potential future revenue from the sale of water in its claim: $100 million. We do not know the full story, because the case was settled out of court for an undisclosed amount, but we can see just where abuse can lead.

As an aside, that is what prompted the Bloc Québécois to present a motion to ensure that, in light of NAFTA, water is not considered a commodity and that it cannot be sold in bulk, as the Americans would like. We do not want to lose this great wealth of Quebec and we do not want this to become a shameless object of trade.

Given the amounts of money at issue, chapter 11 discourages any governmental measure, when it comes to the environment in particular, that would decrease the profits of a foreign owned company.

The dispute settlement mechanism currently allows companies to turn directly to international tribunals to seek compensation without the need for the state's consent. I was talking about that earlier. This is a serious problem. A multinational could, on its own authority, be behind a trade dispute between two countries. That could happen the way things stand now. It is that type of absurd situation that chapter 11 of NAFTA on investment allows.

The government must enter quickly into discussions with its U.S. and Mexican counterparts to amend chapter 11 of NAFTA. The Bloc Québécois has been calling for that for a very long time now. We have seen the abuses that have resulted from this. Instead, the government is adding more agreements and, in those agreements, we find a carbon copy of chapter 11 of NAFTA.

In addition to chapter 11 of NAFTA and despite the fact that everyone has criticized its abusive nature, the government has concluded no less than 16 other bilateral foreign investment protection agreements that, as I was saying, are carbon copies of chapter 11 of NAFTA. All these foreign investment protection agreements are bad and should be renegotiated.

The Bloc Québécois is calling for more transparency, more democracy. The government must submit to the House all international treaties and agreements before ratifying them. That is another problem that should be discussed more broadly here, in this House. We must also ensure that the public realizes that many international agreements can be concluded in secret.

For example, earlier this year, the government announced in a news release that it had signed a new investment protection agreement with Peru. That was how we found out about the agreement. Parliamentarians and the general public knew nothing about the agreement until they read the news release. Moreover, not many members of the media gave this story a very high profile. Parliament was never informed, nor did Parliament approve it. This is totally undemocratic. The strange thing is that we have before us a government that boasts about keeping its promises. It says that it follows through on the promises it makes. I would like to remind members of this House, the general public, and especially the government that that is not true. The government does not always do as it says it will. It does not always keep its promises. The Conservatives' election platform during the last campaign was very clear. The Conservatives promised to submit for approval all international treaties and agreements before signing them. That is not what has been happening. Since the Conservatives came to power, Canada has signed no fewer than 24 international treaties.

● (1650)

With the exception of one single amendment to the NATO treaty that was the subject of a last-minute debate and vote here, none of these treaties were brought before the House. So much for that promise, which the government casually dismissed.

These days, international agreements can have as great an impact on our lives as laws. Nothing can possibly justify the secretive, unilateral ratification of these agreements by this government or any government without the participation of the representatives of the people.

People do not send us here for nothing. We often have to explain what the federal government is up to, a government that, it must be said, seems more remote than municipal governments or the National Assembly and other provincial governments. We explain what we do, the bills we pass and so on.

People understand that international trade and foreign affairs fall largely under the jurisdiction of the federal government. It is our job to take care of such things here. Yet, as I just explained, the government has been signing most of its international agreements without giving us a chance to vote on them.

As usual, we Bloc Québécois members are taking action. Some claim that we merely talk, but the fact is that we also act. We have introduced bills to restore democracy and ensure the respect of Quebec and provincial jurisdictions in international treaties. I will get back to this later on. We presented a bill on this issue on three different occasions.

Today, we can see that the Conservatives' word is not worth much. It is not worth anything, particularly in this area. This is why the Bloc Québécois will raise this issue again and will bring forward proposals to restore democracy in the conclusion of international treaties.

We want the government to be required to present to the House all international treaties and agreements it has signed, before ratifying them; to publish all international agreements by which it is bound; to allow the House to vote on and approve such agreements, following an analysis by a special committee tasked with examining international agreements and major treaties, before the government may ratify them; and, of course, to respect Quebec and provincial jurisdictions in the entire process of concluding treaties, that is at the negotiation, signing and ratification stages.

While the provinces are usually informed of negotiations relating to trade agreements, in reality they have little say in the process, except on rare occasions; they are completely excluded from the decision-making process.

Now, democracy is totally absent when it comes to international treaties. There is no complete list of treaties. The government releases them sporadically. We do not know when it will release them, or even if it will release all of them, because it is not bound to do so. Even the Department of Foreign Affairs' treaty branch does not have a list or report that we could consult to find out with whom, when and why the government signed this or that treaty.

Nor is the government required to table these documents in the House. In fact, it is not even required to inform the House or the public when it signs or ratifies treaties.

The House does not approve them. As we mentioned earlier, the government can sign and ratify treaties, it can do anything it wants without consulting the public's representatives. At best, if ratification of a treaty requires changes to the legislation, Parliament will be asked to vote on such legislation. Incidentally, since 2002, in Quebec, the National Assembly must vote on these measures.

Since the House is in no way involved in the process for concluding treaties, it cannot consult the public. This is really pushing the denial of democracy, especially since, as some colleagues mentioned, these types of treaties affect everyone in their everyday lives.

The government is not required to consult the provinces either. The government prevents the provinces from acting internationally by controlling their international relations and not permitting them to conclude agreements that are considered treaties.

This is what is going on now. What is ironic is that Canada is less democratic than it was in the 1920s. In fact, in June 1926, Prime Minister King moved a motion, which was unanimously adopted by the House of Commons, which stated:

> —before Her Majesty's Canadian ministers recommend ratification of a treaty or convention involving Canada...Canada's approval must be obtained—

That was 1926. This is 2008.

In 1941, Mackenzie King reiterated his commitment to this formula. To quote him once again:

> With the exception of treaties of lesser importance or in cases of extreme urgency, the Senate and the House of Commons are invited to approve treaties, conventions and formal agreements before ratification by or on behalf of Canada—

● (1655)

Over the years, we have resorted less and less to approval by resolution. For example, during the cold war, the practice of obtaining Parliament's approval for signing treaties or for military intervention abroad was definitely abandoned. We even stopped tabling treaties in Parliament, with the exception of the Kyoto accord, which is more recent. No treaty has been approved by resolution since the 1966 Auto Pact, more than 40 years ago.

In the case of Kyoto, the government is refusing to respect what was voted in Parliament. I am laughing and sometimes we laugh about things that are not funny. That is the case here. It is the irony of the situation. Once again we could call this a denial of democracy.

In addition, if we compare ourselves to other countries, Canada is less democratic than the rest of the industrialized world. Parliamentarians in most of the other major industrialized democracies participate more fully in the approval of treaties. I will give a few examples: France, Germany, Denmark, Italy and even the United States are required, by their constitutions, to obtain legislative approval for at least certain types of international agreements before they are ratified. We still have a fair amount of work to do to establish a democracy that can deal properly with international agreements.

I referred earlier to bills introduced by the Bloc Québécois on three different occasions. And we will do it again. We have introduced a bill on treaties to modernize the whole process of entering into international treaties. The Bloc Québécois' bill on treaties was designed to enhance transparency and democracy when international treaties are negotiated and signed. Given that such treaties occupy an increasingly important place in the lives of our fellow citizens, a change in established practices was more important than ever.

In addition, the bill ensured that the legislative jurisdiction of the provinces was respected by the federal government. Understandably, we feel very strongly about that. The bill included five changes: the systematic tabling of treaties before the House of Commons, seeking the approval of the House for important treaties, consultation of civil society by a parliamentary committee before Parliament makes a decision on an important treaty, the publication of treaties in the *Canada Gazette* and on the Internet site of the Department of Foreign Affairs and, finally, the compulsory consultation of the provinces before any treaty on matters within provincial jurisdiction can be negotiated.

The bill on treaties made it to a vote only once, on September 28, 2005, but all federalist parties voted against it. Why? I will get to that. Never short of contradictions, the Conservatives made two promises with respect to international treaties in the last campaign. They promised to put international treaties to a vote in the House before ratifying them and to involve the provinces in the treaty process whenever treaties affected their jurisdictions. Both of these promises have been broken. Since they were elected, the Conservatives have amended NAFTA, signed two investment protection agreements modelled on chapter 11 of NAFTA, one of which was ratified, and entered into a military cooperation agreement allowing British soldiers to train in Canada. They have also signed cooperation agreements in the area of higher education, even though Ottawa does not have jurisdiction over higher education, entered into an agreement to facilitate technological transfers from Canada to China and amended the free trade agreement with Chile. With the exception of the amendment of the NATO treaty, on which we had a mini-debate and a vote at the last minute, none of these international treaties were submitted to this House.

I was saying earlier that the federalist parties had rejected the Bloc Québécois bill because of two clauses in particular, including clause 4, which established a mechanism for consulting the provinces. It would appear that when one belongs to a federalist party, even if they claim to be full of good intentions and that they want to remain open, and even if this is presented in an election campaign to the provinces and, more particularly, to Quebec, they seem to forget it all very quickly when the time comes to take action and to vote. Furthermore, clause 6 did not suit them. That clause recognized the validity of the Gérin-Lajoie doctrine.

In closing, the federalist parties rejected more than just a Bloc Québécois bill; they rejected a piece of Quebec legislation. In fact, section 22.1 of the Act respecting the Ministère des Relations internationales requires the Government of Quebec's consent, both at the signing and the ratification or adhesion of the Government of Canada, before the latter may act on the international scene in relation to any agreement that has to do with areas of Quebec jurisdiction accorded under the Constitution.

It should therefore come as no surprise that, with the federalist parties' rejection of this bill, more and more Quebeckers are becoming sovereignists and that we would tackle this issue again by presenting this kind of bill, which, unfortunately, clearly demonstrates to everyone that those parties are not at all open to Quebec.

● (1700)

[*English*]

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, if I had not been told earlier that the Bloc supported this motion, I would not have known that given the comments of the member. The member has raised legitimate concerns around the sporadic publication of treaties, the consulting of civil society, the impact on the lives of people and therefore it should be looked at more carefully. He has said that the Conservative words are not worth that much. Those comments to me do not sound particularly supportive of this treaty.

One of my other colleagues will have subsequent question, but my question for the member would be this. Given all those comments, which were primarily of concern, why then does the member support the bill?

[*Translation*]

Mr. André Bellavance: Mr. Speaker, I was very clear: we support Bill C-9. This bill has nothing to do with all the recriminations between the NDP and me. We must not mix apples and oranges. Canada can join a dispute resolution tribunal. That is what Bill C-9 is about. All the problems with bad agreements and NAFTA chapter 11 have nothing to do with Bill C-9. We are doing what 155 or 156 other countries who belong to this dispute resolution tribunal have done. Are we making a great improvement in our situation? I do not know, but it is still not a bad thing. That is why we support this bill.

All the other recriminations show that democracy is being denied when it comes to international agreements. This is not at all the same thing, and that is why we support this bill. That does not mean we believe that everything the government is doing with respect to international agreements is perfect.

On the contrary, I showed at the end of my speech that it is time to raise this issue again and introduce a bill ensuring that international treaties are voted on here in this House.

● (1705)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, could the member give a specific and concrete example of where a Canadian company was protected under some of these other provisions of international agreements or treaties, which he thought was undemocratic or unjustified?

I appreciate his support of the bill to help protect Canadian investors abroad, but he referred to problems with other types of provisions protecting investors that may not ultimately be democratic.

Could he give not a generality but a specific example of where a Canadian company was protected but he did not feel it was democratic or appropriate?

[*Translation*]

Mr. André Bellavance: Mr. Speaker, the example that comes to mind is not about a Canadian company, but the problem I mentioned earlier concerning chapter 11 of NAFTA. It is about an American company that wanted to set up in Mexico and create a large garbage dump. The municipality refused to let that company turn the city into a dumping ground. Under chapter 11 of NAFTA, the American company was able to take legal action against the municipality and it won.

The hardest hit are the poorest countries. A few hundred million dollars for countries and companies such as ours is perhaps not as serious as it would be for developing countries or small municipalities. We can see the problems that can arise.

Companies here need dispute settlement protection. It is crucial for investors to have some protection before investing, so that their investments do not grow without them seeing any profits. This is obvious.

This is perhaps a general answer to the question from the member for Yukon, but if he has specific examples, he is more than welcome to share them with us.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I would first like to thank the hon. Bloc Québécois member for his speech and for clarifying the Bloc's position. It is very interesting to try to understand the reasoning behind the Bloc Québécois' support for Bill C-9.

Perhaps one might better understand their position if one considers the fact that the Bloc decided to support the Conservative government's last budget, the lack of support for our activities concerning banks here in Canada, the hesitation on the part of Bloc Québécois members to join us in convincing the government that this is the wrong direction to take, and even the strategies regarding free trade or the action of banks right here in Canada. Canadians want us to take this direction in order to trigger major changes.

Here is my question for the Bloc Québécois member. Considering the lack of transparency, lack of accessibility and lack of responsibility concerning this bill, how can the Bloc Québécois support it? How can he justify this decision to all Canadians?

● (1710)

Mr. André Bellavance: Mr. Speaker, our party is often criticized for not doing anything and not changing anything, but the hon. member just said that we are practically responsible for the impending end of the world.

The Bloc Québécois always acts responsibly. As far as the last budget is concerned, I recall that all the parties in this House supported it. During the last vote, not a single NDP member stood up or said a word. The budget was passed unanimously. We are not interested in hearing any more about the last budget, especially since it was the Bloc that got $3.3 billion to resolve in part, but not entirely, the fiscal imbalance. That was a major battle Quebeckers wanted us to fight here in the House. In my riding, when I go to the grocery store, I am not embarrassed. I hold my head up high. People understand quite well the work we are doing here and they thank us for it.

To support a budget, tax measures or certain bills does not mean supporting a government. Where is the logic in that? I cannot imagine. The hon. member has been here longer than I have and there certainly have been times when she voted with the government. I remember the cozy relationship between her and the government of the Prime Minister's predecessor, the hon. member for LaSalle—Émard—he is still here, but we do not see him very often. This relationship between the NDP and the Liberals was right up front at the time and that did not mean that the NDP supported everything the Liberal government did. It did not support the sponsorship scandal or things like that.

We have to be consistent. Supporting this type of measure, whereby Canada becomes a member of a dispute settlement tribunal, does not necessarily mean supporting every Conservative government measure.

I even said from the outset in my speech that this government was insensitive about the manufacturing crisis and the forestry crisis. I am the agriculture critic for my party. I defend the beef and pork producers who are currently experiencing serious problems and I can assure my colleagues that this government is insensitive to their calls. The support we are giving the government today has nothing to do with all the Conservative government's bad policies.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very pleased to speak today to this bill, the World Bank's investment tribunal, which is being brought forward to the House through the International Centre for the Settlement of Investment Disputes. It was set up in 1966. I guess it has been a bit of a late bloomer. Here we are 40 years later trying to actually give it some legitimacy.

I have listened to the debate and I find it interesting, but it is predicated on two fundamentally wrong principles.

The first is the principle that if we look at the failed processes that are in place now for trade, particularly the chapter 11 mechanisms for NAFTA, it has been proven time and time again that they allow certain corporate interests to override regional, state and national governments and the legitimate interests of governments to protect citizens in a fair manner. That has been used again and again as a blunt instrument to push a privatizing agenda against national interests. We are supposed to accept that this principle, which has failed again and again under chapter 11, will somehow be different with this tribunal, even though it is using basically all the same input mechanisms, and that things will somehow be better this time.

The second element in this discussion, which we are supposed to accept, is the tribunal, through the World Bank, is such an august body that it will have legitimacy in its own right. We are supposed to forget 40 years of the neo-liberal experience under the World Bank and the severe damage it has done in development.

Therefore, I will speak on practical issues of how trade disputes are actually dealt with in the real world so we can bring a bit of perspective to this debate.

I will begin with the World Bank's credibility. Certainly it has taken a number of hits because it was a dumping ground for Paul Wolfowitz, who is notorious now as one of the architects of the illegal war in Iraq. He was such a liability to even George W. Bush that the Americans could not figure a place to dump him to get his radioactive state out of Washington, so they sent him to the World Bank.

Under Wolfowitz's leadership, credibility of the World Bank was severely challenged. There was an element with his girlfriend and losing complete support of the directors of the World Bank around the entire world. Therefore, there was a coup to get this guy out. Here was a guy who even George W. Bush would not be seen beside representing the World Bank.

I refer members to a recent article in *The Guardian* that said we should end the hypocrisies on the World Bank because the fact was the World Bank's credibility was shot long before Paul Wolfowitz brought his girlfriend on the scene.

Naomi Klein has written extensively about the failings of the World Bank in terms of ensuring that when we do have trade pacts and we do have development deals, that communities and national economies are able to benefit from them. She writes:

> First, let's dispense with the supposed hypocrisy problem. "Who wants to be lectured on corruption by someone telling them to 'Do as I say, not as I do'?" asked one journalist. No one, of course. But that's a pretty good description of the game of one-way strip poker that is our global trade system, in which the United States and Europe—via the World Bank, the International Monetary Fund and the World Trade Organisation—tell the developing world: "You take down your trade barriers and we'll keep ours up".

We can see that whether it is farm subsidies or any form of international trade. She goes on to say:

> The more serious lie at the centre of the controversy is the implication that the World Bank was an institution that had impeccable ethical credentials—until, according to 42 former World Bank executives, its credibility was "fatally compromised" by Wolfowitz.

The truth is the bank's credibility was compromised long before Mr. Paul Wolfowitz. It was compromised when it forced school fees on students in Ghana in exchange for a loan, when it demanded that Tanzania privatize its water system, when it made telecom privatization a condition of aid for Hurricane Mitch relief and when it demanded labour "flexibility" in Sri Lanka in the aftermath of the Asian tsunami.

While the rest of the world was raising money in our schools, in Canada and around the world, to help the victims of the tsunami, the World Bank was putting the squeeze on Sri Lanka to break apart its national policies on protecting its own workers. The Paul Wolfowitz scandal pales in comparison to that.

● (1715)

On the issue of corruption and accountability, she says that the World Bank has absolutely no credibility to speak of because the World Bank was there when the Soviet Union was basically picked apart by an oligarch of mafia interests. We saw the role the World Bank played in Chile with, of course, Milton Friedman, the original doctor of shock and torture for the economy, and the incredible damage that was done to all segments of society in what was actually a very middle class country at that time until the World Bank was through with it.

The World Bank has a lot to answer for in terms of its credibility of being a fair arbiter, an honest policeman on the world stage. I think many people in developing countries have developed a very strong distaste for that. We need to have that in mind when we talk about any trade agreements that come before us in the House.

The issue of trade is paramount to us as a nation. We are a nation of traders and we want fair rules. In our farming sector we have come up against incredible odds because some of our major competitors, the EU and the U.S. , continually dump products on the international markets and continually distort the price of grains and other commodities through their subsidies. It has hurt us but it has had devastating effects in the third world where y the EU or the U.S. can dump grain, corn or any other product into the third world where farmers do not have nearly the same protections.

When we all talk about a level playing field, it seems that they are never on the level playing field. Who is on the level playing field? Well, it is the corporations and their friends, but national economies, especially in the third world, are not on any kind of level playing field.

If a trade agreement comes before this House, we need to look at it through the prism of asking whether it will be fair, just, true and open trade or whether it continues to perpetuate a very one-sided cycle. Unfortunately, I believe that this one-sided cycle will continue.

I would like to speak to a couple of examples. It was mentioned earlier in the House the example of Metalclad in Mexico where a U. S. company felt that its rights were unfairly impinged by the fact that in its desire to use a poor neighbourhood in Mexico as a toxic waste dumping ground somehow its rights were violated by the fact that the people of that region said that certain base standards needed to be set. They said that as a municipal government, a regional government and a national government they needed to protect their country from being a dumping ground for waste.

Metalclad took that through binding chapter 11 arbitration. Anybody who says that the chapter 11 arbitration process is in any way fair or open is deluding themselves. They would be smoking the kind of stuff that I know our Conservatives are certainly wanting to snuff out.

What happened in that Metalclad decision has been repeated in numerous decisions under NAFTA, chapter 11, where basic rights of a country to set certain levels of standard have been erased by a body that is unaccountable, unelected and sets its own standards, in fact it sounds very much like the Liberal dominated Senate, but it has the ability to do worse because there is no appeal mechanism under chapter 11.

We are seeing a very similar setup with this World Bank front in terms of its mechanisms. Chapter 11 does not have to release the results of its findings. It does not have to allow any third party briefs to be brought forward. The ability of a national government to protect its interests once it has gone to a chapter 11 challenge becomes very limited.

I would like to speak about my own interest in chapter 11. We have a situation right now where the taxpayers of Canada are on the hook for a potential $350 million in damages that is being heard at a secret tribunal, a chapter 11 of NAFTA. That is being brought forward by a company 1532382 Ontario Inc. This is a company that was founded in Ontario and its board of directors is listed as being in Don Mills, Ontario. The people on the board of directors are not known to the public because they get to hide behind corporate anonymity, but this numbered company is suing the Canadian public for $350 million, claiming that its international rights were violated.

● (1720)

I want to go through this story so people in the House and anyone watching back home will know how this kind of, as Naomi Klein said, one-way strip poker is played.

1532382 Ontario Inc. was incorporated in the province of Ontario to go after a municipal waste contract under provincial jurisdiction. That provincial waste contract was the 1995 original bid for picking up garbage for the City of Toronto. The solution being offered by 1532382 Ontario Inc. was to ship it up to northern Ontario to the riding of Timmins—James Bay, where we have these massive iron ore pits that are filling with groundwater, and dump the garbage for 20 or 30 years in the pits. The fact that 380 million litres of groundwater flows through those pits a year is not a problem for the planners of this dump because it was actually written into this scenario that they would use the groundwater to wash the garbage and they would get 20 years out of these pits. Three hundred and eighty million litres of groundwater would flow through for all of eternity as far as we know unless something dramatic changes in northern Ontario. The guarantee was that this numbered company with no name behind it would set up a commitment that for 2,000 years it would run pumps to wash the garbage, to take the groundwater and pump it back into the surrounding environment.

In fact, when the planners came before the Ontario government with this plan, they actually costed out the cost of fixing the pumps 1,500 to 1,600 years in the future. It was amazing. They figured it would cost them $25 an hour 1,600 years in the future. That is like Clovis and the Franks talking about what it would cost to run trucks on our roads back in A.D. 600. This shows how absurd this plan was.

This plan was so absurd that it would never have made it to first base until of course the Mike Harris government came in. My God, there are certain people here who were there at the time when Mike Harris stripped the environmental assessment laws. Since they knew a deal like this would never go through with scrutiny, they put it through the biggest waste management proposal in Canadian history through a scoped EA where they were able to omit all the questions about groundwater safety so that this dump could get passed. In fact, the only question that was allowed in the entire hearing was whether or not the numbers from the computer model matched. There was nothing about real time experience at these pits. These were badly fractured pits. People who lived underneath the pits can tell us about the problems with the water flowing through. The miners who worked in the pits knew the situation in the pits.

The Harris government thought this was a great deal because some of the people involved in 1532382 Ontario Inc. happened to be from the city of North Bay, which was the home base of Mike Harris. It almost came to fruition but the people of northern Ontario and the Abitibi region of Quebec came together and said that was enough. They said that they would not go through with a project that was so risky, so unproven and so potentially disastrous to the health of their region that it literally took railway and road blockades to get this government's attention that there were problems with this plant, problems that would have easily have been identified if we had a proper environmental assessment in process. The dump plant for the Adams mine fell through, which is no surprise. Sometimes really bad ideas do not fly.

The reason I mentioned that dump is because a very curious thing happened afterward. At the time, 1532382 Ontario Inc. was identified with Gordon McGuinty, a North Bay businessman. He had Notre Development. He had a number of investors and many of those investors were well known. Many of them were from various parts of Ontario. When he had a problem, after the deal fell through and waste management walked away, he was looking for partners for this dump, and this is where another number of investors came through. Some of those investors were also identified with the Conservative Party. People who identified names who were involved in this were all from Ontario.

● (1725)

I could name them here. I am not afraid to name them. Mr. Cortellucci was identified as someone who certainly seemed to have an interest in this mine. Of course it was all behind numbered companies, so how do we find out?

This Ontario numbered company actually donated money to the leadership bid of the present finance minister. This Ontario company gave donations to the Conservative Party. It was clearly based in Ontario and it was dealing with a municipal contract. After the Adams mine deal fell through, the company sued the present Ontario Liberal government for $300 million for the fact that it was robbed of its deal. That lawsuit went nowhere so we did not hear anything more about this numbered company until last year. It was not interested in going through the Canadian courts anymore. It was taking its case to chapter 11 of NAFTA. How is it that an Ontario company that is donating money to Ontario political officials dealing with a municipal waste contract can go to chapter 11 as an international investor?

Lo and behold, Vito Gallo, a man nobody has ever heard of, steps out of the wings and says that he is the sole owner of this mine. I asked the Toronto city councillors who were involved in the negotiations if they had ever heard of Vito Gallo. They had never heard of him. I had to tell them that he was suing the Canadian public for $350 million claiming that he owned the Adams mine and that his mine has gone up in smoke. I was involved in those negotiations with the Algonquin nation when I worked with them and we had never heard of this man. Now he has this deal and is going before chapter 11.

There will be no appeal at chapter 11. We have no right to bring forward briefs about who was involved and who the potential Canadian investors were. We do not have the ability to do that. The Canadian public is trusting three guys in Washington to dispense justice on $350 million. In any kind of fair deal, as in the case of taking this dispute to a Canadian court, there would be depositions from both sides, there would be witnesses and there would be cross examinations. We would squeeze the Charmin to see if this case had any legitimacy at all. That is what the courts are there to do.

In a large dispute where a large amount of money is involved and where a provincial or federal law is in question, that dispute must be brought forward to be tested to ensure there is full due diligence. That does not happen with chapter 11. We have seen it time and time again where even dispute resolutions do not need to be made public.

How can something be transparent and open when third party briefs are not allowed to be brought forward and there is no right to full legal representation? How can something be transparent and open when a panel of three get to decide and their word is law? There is no appeal and no challenge process. If anybody tells me that is good for the business of the nation then we are certainly not on the same political wave length. I believe that certain issues need to be brought forward before any of these kinds of decisions are allowed.

This brings me to the World Bank's investment tribunal. I think we are dealing with many of the similar concerns that we saw with NAFTA's chapter 11. We have not seen that anyone has learned anything from chapter 11 about making these deals more open and more fair. In fact, this really seems to be just another way for the government and its friends in the Liberal Party to resurrect the multilateral investment treaty. When that treaty was brought to the public's attention, Canadians said that there were issues of national sovereignty and our economy that they were not going to give away to some arbitrary, unaccountable, unelected body to make binding decisions. That simply undermines our national sovereignty. There was a national response against the multilateral investment treaty. I know that certain people from certain ideological stripes felt the pain of losing that.

Under article 52, an annulment of this decision may only be allowed if:

(a) that the Tribunal was not properly constituted;

(b) that the Tribunal has manifestly exceeded its powers;

(c) that there was corruption on the part of a member of the Tribunal;

(d) that there has been a serious departure from a fundamental rule of procedure; or

(e) that the—

● (1730)

The Acting Speaker (Mr. Royal Galipeau): Questions and comments, the hon. Parliamentary Secretary to the Minister of Public Works and Government Services.

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, I listened intently to the speech given by my colleague from Timmins—James Bay. I know he used to be the trade critic for the NDP, I believe, in the previous Parliament.

● (1735)

Mr. Charlie Angus: No, agriculture.

Mr. James Moore: Agriculture, I beg your pardon, Mr. Speaker.

The hon. member spoke for a good length about chapter 11 of NAFTA. It is remarkable to me. First, I was frankly a little bit disappointed by his speech. I think one can make a point for or against something without personal attacks, being negative, smearing Paul Wolfowitz, smearing people's intentions and attacking their character. One can make the point against chapter 11 without having to attack someone's personality and character. It is entirely unnecessary and it is unbecoming in this place.

Beyond that, chapter 11 of NAFTA extends the Canadian value internationally. What chapter 11 says in NAFTA is that we cannot discriminate against a foreign owned company.

The hon. member used the example of Metalclad. What chapter 11 says is that if a municipal, provincial or federal government in Canada or any jurisdiction in the world wants to regulate or legislate against certain behaviours by any companies, say one which is dumping pollutants that may be detrimental to an environment, a government can say that companies cannot dump this pollutant.

It cannot say that company A cannot dump the pollutant. It has to say that all companies have to stop dumping this pollutant. The reason why is because countries very often use regulations and laws to discriminate against one company in favour of another. Chapter 11 means that we have to treat all companies equally, not discriminate, and thereby allow companies to change their practices in order to meet the new burden in the best interests of the public. It forces countries not to discriminate. That is what chapter 11 does.

The hon. member says that this allows companies to sue governments in order to change laws. Yes, it does. In Canada, a foreign company can sue the Canadian government or any government if it is being discriminated against. It could do that before chapter 11. Chapter 11 allows a Canadian company to sue a government in another jurisdiction so that it gets treated equally and so that it is not discriminated against. That is what chapter 11 does.

The hon. member says that a company can sue a government and overturn a law. Yes, because it is being discriminated against to benefit another company that may be domestically based. It is a trade barrier. It prevents competition. Preventing competition prevents people from getting the best quality, the best price and the best choices in products, and how they want to live their lives. That is a good thing.

The principles of chapter 11 exist in Canada whether we have NAFTA or not. NAFTA and chapter 11 of NAFTA extends this virtue abroad because it protects Canadian companies in other countries so that we can do business and not be discriminated against.

I cannot believe that a member can stand up in the House for 20 minutes and give a speech on something he clearly knows so little about.

Mr. Charlie Angus: Mr. Speaker, I was quite surprised. I was not sure if my smear was that Wolfowitz had been corrupt or that he had engineered an illegal war, but I know I have certainly touched a soft spot with my Conservative friend and I am not surprised he is up defending chapter 11 so blindly. That is part of the ideological problem in the House.

I spoke about the specific issues of how chapter 11 is used again and again to basically undermine laws. He talks about how it gives us rights, but we have these rights before courts with our U.S. trading partners.

This takes away our rights, so that again we can have a numbered company constituted in Ontario that can suddenly claim it is American to take that outside the courts, to take that outside of a tribunal that is open, transparent and actually allows for briefs and counterclaims to be made, and gives it to three trade negotiators whose word is final.

If the hon. member thinks that is democratic, it is probably in keeping with the direction in which the Conservative government is going. However, the New Democratic Party certainly does not think that is democratic in any way and we certainly do not think it is in the interests of the Canadian public.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I thank my colleague from Timmins for providing some light on this subject because clearly after what we just heard, a lot of light is needed.

In fact, it was interesting in the deliberations at committee that there was reference to NAFTA and chapter 11. There was talk about NAFTA and chapter 11 with Canada and even the FTA with Chile. Most of our bilateral foreign investment protection agreements, the FIPAs, and this agreement are kind of at parallel purposes but the thing that is similar is what they do in terms of who gets to be heard.

The dispute settlement option that can be chosen by investors is in both the state of the investor and the host state of the investor, and their party to this agreement. What is fascinating, however, and that is to discern between these two kind of formats, the chapter 11 method and the method that we are describing today, is the transparency. What we do not get from the government is a clear indication of where the transparency is.

If we look at the trade agreements that have been passed and where the deals are done, given that Canadians I think value more than anything transparency and accountability, why does the member think that this particular arrangement is going through so quickly? It has been around since 1966 and all of a sudden there is a need to have this in place.

The previous Liberal governments, the Liberals are now supporting it, did not think it was something they needed to do but now they think it is the greatest thing. The current government thinks it is something that we have to have. In his opinion, why does the member think we are having to rush this thing through? What are Canadians going to benefit from it?

● (1740)

Mr. Charlie Angus: Mr. Speaker, I was asking myself, given that the panel has been around for 40 years, why is there a rush now? Why are we suddenly at a great trade disadvantage.

I think the answer was actually given to us just a few minutes ago by my Conservative colleague. At the beginning of my speech I said the whole scheme is predicated on two suppositions. One is that we believe that the World Bank is somehow an arbiter of international credibility and second, that we believe that chapter 11 and all its failings somehow will be transformed into a bonus to help average Canadians.

What we have seen with the Conservative response is that those members have their knickers in a knot over comments about Paul Wolfowitz. So clearly, we are at a distinct disagreement about what the World Bank's role is and second, we are being told, in fact to our face, chapter 11 is great.

If a corporation wants to go dump toxic waste in Mexico the corporation's right should be protected. If we want to go after a country that is trying to stop toxic chemicals being sprayed on lawns, we should be protected. If we want to go after a government in Canada to stop medically harmful additives in gasoline and we are corporate investors, we should be protected.

As for the rest of folks back home, they can just sit back and lump it. That is the Conservative vision that is actually being backed by the Liberals. And our friends in the Bloc seem to be saying, as long as they can sign onto the treaty, the Parti Québécois will sign on to anything.

However, folks back home will understand that a trade deal that takes away the ability of the public to participate, that takes away legal precedent in the country to examine and cross-examine, and a trade agreement that takes away any ability for appeal is not in the interests of folks back home, average people and neither is it in the interest of our sovereignty as a nation.

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, the fact is that there is no means by which a sovereign state, in which an investment is being made, can make an appeal on behalf of its citizens. I wonder about my colleague's comment about the Conservative member who earlier talked about protecting companies not being allowed to invest in some countries and that it would be discriminatory. On the other hand, there could be discrimination against all the citizens who live there—

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Timmins—James Bay, a 30 second response.

Mr. Charlie Angus: Mr. Speaker, clearly look at the track record of the World Bank. Who has it targeted? It targeted for relief after hurricane Mitch, privatizing Telecom, and it has gone after privatizing water systems in places like Tunisia. This is what it sees as its role in trade.

That is obviously the opposite of what we see in trade and so we will stand against the bill, continue to fight against the bill, and work with non-governmental organizations that are looking to bring some democratic reform to these trade agreements.

Mr. John Maloney (Welland, Lib.): Mr. Speaker, I stand to speak today to Bill C-9, An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention).

This bill implements the international convention on the settlement of international disputes between states and nationals of other states which was open for signature in Washington back on March 18, 1965. It generally creates a set of rules for mutually agreed upon arbitration hearings between investors and foreign state governments. It ensures that the courts in any of the signatory countries have the legal means to enforce any decisions in the ICSID hearings.

As a trading nation, Canada and Canadian and international investors require protection, stability and confidence. Should disputes arise, and they do, it is essential that fair, equitable and judicious treatment is available when necessary.

The ICSID convention is an international instrument sponsored by the World Bank to facilitate and increase the flow of cross-border investment. The convention establishes a mechanism to resolve investment disputes between foreign investors and the host state in which they have made their investment.

The ICSID convention entered into force, as I said, on October 14, 1966 and my understanding is that 156 countries have signed the agreement with Canada signing on December 15, 2006. As of January 2007, 143 states have ratified the convention, making it one of the most ratified instruments in the world. The majority of Canada's trading partners are party to the convention.

Investment disputes brought under the convention are administered by the international center for settlement of investment disputes located in Washington, D.C. In the last few years the activity of the centre has soared due to increased flows of cross-border investment and the number of investment treaties referred to ICSID arbitration.

While the centre had over 110 arbitrations in total during the first 40 years of its existence, there are currently 105 proceedings underway. Since its inception, the centre has established itself as a reliable and effective organization for resolving investment disputes.

Once ratified the convention will provide additional protection to Canadian investors abroad by allowing them to include in their contracts with foreign states the option of arbitration under ICSID convention. In addition Canadian investors doing business in the country with which Canada has a foreign investment promotion and protection agreement will have recourse to ICSID arbitration for violations of that agreement as well.

Becoming a party to the ICSID convention will also make Canada a more attractive destination for international investors and that will mean jobs for Canadians.

The most significant advantage of the convention is the enforcement of arbitral awards. Unlike awards issued by other arbitral institutions, domestic courts cannot refuse to enforce decisions issued under the ICSID convention. Rather, such awards are enforceable in any country that has ratified the convention as if they were a final judgments of the courts in that state.

The tremendous growth in investment and investment-stated disputes has made Canada's failure to ratify ICSID the focus of attention by Canadian business, the Canadian legal community and our trading partners. As I have indicated, to date 143 states have ratified the ICSID convention. The majority of our major trading partners are parties to it except for Mexico, India and Brazil. Ratifying the ICSID would bring Canadian policy into line with our OECD partners.

In a survey conducted by the ICSID centre in 2004, 79% of the respondents said ICSID plays a vital role in their country's legal framework and 61% said ICSID membership has contributed to a positive investment climate. Those are significant numbers.

The ICSID regime provides several important advantages, and compared to other arbitration mechanisms, the ICSID regime provides better guarantees regarding enforcement of awards and more limited local court intervention. Any arbitral award rendered under the auspices of ICSID is binding and any resulting pecuniary obligation must be enforced as if the award were a final domestic court judgment.

Moreover, all ICSID contracting states, whether or not parties to the dispute, are required by the convention to recognize and to enforce ICSID arbitral awards. Investors often prefer to rely on such arbitrations rather than on local courts of the country whose measures are in dispute to ensure an independent resolution of the dispute.

● (1745)

ICSID's relationship to the World Bank assists investors in obtaining compliance with ICSID awards and its roster of arbitrators gives investors access to well-qualified arbitrators at ICSID controlled rates, with extensive experience in international investments arbitration. ICSID also provides important institutional support for litigants.

The ICSID convention is a well-known tool for the settlement of investment disputes. Therefore, the interpretation of the convention and its usefulness are predictable.

Canada already has numerous links with ICSID. Provisions consenting to ICSID arbitration are commonly found in contracts between governments of other countries and Canadian investors. The NAFTA in chapter 11, the Canada-Chile free trade agreement, and most of our bilateral foreign investment protection agreements, or FIPAs, provide for ICSID as a dispute settlement option that can be chosen by an investor if both the state of the investor and the host state for the investor are parties to the ICSID.

Obviously Canada must become a party to the ICSID because Canada and Canadian investors cannot benefit from the choice if Canada is not a member. This is an increasingly important problem. Within Canada the use of ICSID would be consistent with the policy of supporting the use of the alternative dispute resolution mechanisms for investor-state disputes. While ICSID is less expensive and more efficient than current alternatives, it is not expected to lead to increased litigation against the government.

Under a government whose recent record is one of stifling international participation by Canadian companies, it is important that we pass a bill that protects the rights of our investors in other jurisdictions. With hugely increased trade with emerging giants, such as China, and other countries with governance structures much different from our own, it is important, in fact it is essential, that Canada be a part of the international convention on the enforcement of investors' rights.

● (1750)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, it is interesting to note the member's comments about where the dispute would be settled. The crux of our concern is that this will take away the decision making from what it used to be or exists now, a dispute resolution within the confines of our own borders, and transfer it to the World Bank. Some would say that is fine and I would concur if there was some measure of transparency that we would all agree with. Earlier in his comments with one of his colleagues, he assured us that was the case, that as of April 2006 there is absolute transparency. But that is not the case. I quoted from the blues in committee where it was brought forward in witness evidence that it is not the case that it would have absolute transparency. It is contingent. The problem with this process is that there are so many contingencies. It is contingent when a tribunal is put together.

What happens if someone wants to appeal? We learn in this agreement that the appeal process is not something we would expect in Canada in terms of being able to appeal a decision of a court. He intimated in his comments that the decisions are final, that everyone has to abide by the decisions and that is it.

When we talk about the transfer of decision making, a lack of accountability, as I have already mentioned, or these contingencies and we underline the fact that there are countries presently that are not signatories to this, the question is what is the benefit for everyday Canadians. What would Canadians really get from this deal? The answer is not a lot, and what they get is a lot of questions.

In light of the fact that we are handing over decision making to a third party, in this case the World Bank, in light of the fact that all decisions are not fully transparent and in light of the fact that we are depending on a tribunal in Washington without the ability to make decisions in Canada, how can the member support this bill?

Mr. John Maloney: Mr. Speaker, I would point out that this is an option. Companies have the right to use this possibility, or they could sue within the country where the situation happened. There is a right of appeal. Other members have pointed out section 52, and perhaps on some very narrow grounds, a creative litigant could probably amplify those grounds.

The business community today wants an answer and it wants it quickly. Businesses are not about to be ground into submission after 10 years of litigation at a huge cost. They are prepared to use this procedure to get a quick and efficient decision and one that is enforceable.

Admittedly, not all countries around the globe are signatories to this agreement, but I suggest this will change as more and more people sign on and more and more ratification takes place.

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, I wonder if the member could speak briefly, or extensively as he wishes, about article 71 which is about the termination of contracts. Perhaps he could speak to why he sees that as being helpful and how that would work.

● (1755)

Mr. John Maloney: Mr. Speaker, I would like to review article 71 which states, “any contracting state may denounce this convention by written notice to the depository of this convention. The denunciation shall take effect six months after receipt of such notice”.

If things do not work as we anticipate they will, if it is not a positive outcome in becoming a signatory and having it ratified, then we have the ability to opt out. There is an escape mechanism which is very prudent and very beneficial, but I would anticipate that this country would not exercise its rights under article 71.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, it should not come as a surprise to any of us that the Liberals are so enamoured with Bill C-9. The bill has all kinds of flaws, dutifully pointed out by many in the House and by organizations which are expert in this whole area. It comes as no surprise given the fact that it was the Liberals who tried to slip through Parliament and into public policy the multilateral agreement on investment. Thank goodness there were Canadians who said it was dangerous and problematic. Thank heavens there was enough pressure to bear to stop the MAI.

Today we have this proposition before us through Bill C-9 which has problems of the same nature that we identified with respect to the MAI. We also have on our plates the SPP, the security and prosperity partnership agreement, which evokes all kinds of images about lack of transparency and accountability, executive power and power by the international corporate elite.

Is there a pattern here? If the Liberals were in support of the MAI, and in fact they propelled the issue of the multilateral agreement on investment onto the public agenda, if they are in support of Bill C-9, which is clearly problematic in terms of the power of the World Bank, are they also in favour of the SPP?

Mr. John Maloney: Mr. Speaker, I certainly respect my colleague's comments on the Liberals' position on the MAI. The Liberal Party is always open to suggestions and constructive comments. Following a review of the possibility of entering into it, they withdrew it and that was a good move.

To suggest that the ratification of this agreement is the same as the MAI, I would suggest it is not. I look at the business community and the trading community, all of whom are very supportive of this agreement. I would suggest that if the worker on the street or in the factory were given the option, if he had the choice between arbitrating disputes under this agreement or not having a job, he would welcome the assurance of stability in his employment and would also endorse it.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, given what the member said, that we do not want Canadian companies to be prejudiced overseas when they invest, does he believe that can create a lot of jobs in Canada? Obviously Canada has investments around the world which create jobs and he would like to give some certainty through this mechanism so that a lot of union jobs and other jobs are maintained in Canada and not lost by some frivolous action against which there was no protection.

Mr. John Maloney: Mr. Speaker, job creation and job maintenance are so important for this country. It is certainly one of the issues of the day. It is my position that this would provide for stability and would provide new jobs. We are a trading nation. It would also protect existing jobs. As such, we should be endorsing this unanimously, all the parties in this House.

● (1800)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, it is interesting to note that we have heard the positions of all the parties on this bill and our party has taken the view that this bill is not up to speed on where Canadians are at and on how to protect Canadians in terms of investments, institutionally speaking.

I would concur with those who say it is not the end of the world if this treaty goes through, that other countries have passed it and therefore it is just something we can go ahead and agree to, no problem, thanks very much. I would agree that it would not be the end of Canada as we know it. It would not wreck or destroy our economy.

Let me start off with those measured comments, but we need to be very vigilant on what we are actually deciding and what potential pitfalls there are. If we look at the International Centre for Settlement of Investment Disputes, we will see that it is one of those groups within the World Bank that is not very well known. If we were to ask our constituents about it, or if I went out here on Bank Street and asked people if they were aware of the ICSID, most of them might look at you quizzically.

There is a reason for that. It is an investor dispute mechanism that provides multinational corporations with powers to sue governments when they impose domestic laws or regulations that have a significant detrimental effect on corporate profit-making. In other words, what is critical here is to understand why this is in place. Who does it benefit? Then it comes back to us as legislators. What does it do for everyday people?

I would submit that this is something that benefits multinational corporations and large investors, but I cannot make the argument that this benefits everyday Canadians. In fact, it has the potential to see us give up our sovereignty. I say that because this arrangement agreement has been around, as has been mentioned already, for more than 40 years, but it seems we now have a rush to sign on to this.

I find that a little strange. It is of concern to me when we see a major sell-off of resources, particularly here in Canada, a major sell-off of our resources, of companies that have been Canadian from the beginning, we might say, and certainly companies that have been around for more than 20 or 30 years, and we note that there is not a problem in terms of foreign investment in Canada.

The dilemma we have is in making sure that we have some hold on the economic reins, that we in fact get to determine our financial pathway, that we are able to have an economy that is a mixed economy for sure, a pluralistic economy absolutely, but one in which there is a balance.

When we take a look at this agreement, we see that what this agreement will do is allow multinational corporations powers to sue governments when they believe they have been wronged. We have already heard some examples from my colleague from Timmins about the perils of that.

We know that the World Bank organized the international body in 1966. Historically, capital-exporting countries have used a variety of these kinds of carrots and sticks to protect the economic interests of their major corporations abroad. They use these as a vehicle, as a tool, so to speak. If they cannot get what they want in a forum that is agreed upon between states, they use this forum.

While many might say it is fine, that if we look at some of the decisions we can see that they were amicable and there were no problems, we also have to take a look at the potential for this to be a negative situation for Canadians and, for that matter, for Canadian investors.

● (1805)

For instance, the United States has a long history of using these kinds of tools to its benefit, so we have to take a look at how the mechanism works. What we find is that in the way the tribunal is set up, we have what I think is really an imbalance in the structure. We know that the way the panellists are chosen and put forward is that they are agreed upon by members of the treaty. That sounds fine until we get to the point of asking this question: what if there is a problem with a decision that has been made by the tribunal?

We know there is no satisfactory appeal process, not in my opinion. The decisions are pretty final once they are made, once we have entered into the process. If someone thinks that a decision was not fair or that not all the evidence was brought forward, unless it can be proven there was corruption or unless there is a smoking gun, an appeal is not permitted.

In fact, let us look at article 52. To be clear, the appeal process is actually an annulment. It says to get rid of the whole decision. That is really not an appeal in my books. Article 52 lays out the annulment. It kind of reminds me of how the Catholic church dealt with marriages at one time, when a divorce would not be recognized but there would be an annulment, meaning the marriage did not happen.

However, the annulment may be permitted only if the following criteria are met. One is that "the Tribunal was not properly constituted", but one agrees to the tribunal from the get-go so one would have to prove that somehow one did not agree. Another is that "the Tribunal has manifestly exceeded its powers", but if one agrees to the agreement, one agrees to the powers and the decision-making. That one would be hard to prove.

Another is that "there was corruption" on the tribunal. My colleague from Timmins pointed out the problems the World Bank has had in that area. I am not sure that the tribunal would have a very non-jaundiced view of its own operations and it is the tribunal that would determine this. Another is that there was a breach in the rules of procedure. That would be when one filed and what time periods were involved.

The final criteria is that the award "has failed to state the reasons on which it is based". We are talking about agreements that are in the millions and tens of millions of dollars. It would be very unusual to have an award that would not state the reasons on which it was based. Both sides have lawyers, if not teams of lawyers, who certainly would have provided the reasons why they were in the dispute.

Therefore, what we have here in article 52 is a train to nowhere. It is not an appeal process. It is an annulment process. It does not allow a window on the decision-making and therefore I think is a flaw. It is very difficult for anyone to be able to challenge things. We know that about four countries now are trying to get out of this agreement, but it is very difficult.

I will mention one of the reasons why it is difficult. If I may turn to article 71, in terms of being able to get out of this agreement it sounds good, in that one gives notice and gets out of the agreement. The problem is that we can have companies and corporations that have in fact signed on to these agreements and will tell their respective governments that if they pull out of an agreement it will harm them and there will probably be some legal action from those corporations against their very own governments. Sometimes this can mean corporations that are not centred in their respective countries but have business in those countries.

What does that mean? It means that notwithstanding the fact that article 71 allows a nation-state to withdraw from the agreement, it is much more difficult than that. This is not unusual. We know that with some of the trade agreements we have signed on to it is one thing to see there is an escape clause to get out of an agreement that we do not believe is in our best interests, which is easily stated in an agreement, but it is another thing to actually do.

● (1810)

Why? Simply put, when we get into these trade agreements, they become intertwined. Corporations do their business based on those agreements. If they feel they will lose out, it is their right to take their respective governments to court. It is important to note that and to note as well that there are nation-states right now that are trying to withdraw from this treaty and are encountering challenges and difficulties.

It is important to note that this is not in isolation. Recently the government built on the work that was done by the previous government on the Security and Prosperity Partnership of North America. As I said at the beginning of my remarks, I am not suggesting that this treaty will be the end of our country or that we will be giving up all of our sovereignty, but—and I underline "but"—it is one of the threads that is undoing the fabric that we have to be a sovereign state, to decide how investment is done and certainly how to challenge when unfair investment is taking place.

I would say the same with the security and prosperity partnership. It was really interesting when the previous government brought forward the security and prosperity partnership. The Liberals said it was something they had to do to streamline procedures and processes and we should not worry. They said we should just trust them because it was something that would be good for Canadians.

Most recently we have seen that partnership extended when the SPP talks were held not far from here with Mexico, the United States and Canada. What is disturbing about that agreement and also this particular treaty is that most Canadians are unaware of what the consequences will be for them.

When people talk about the security and prosperity partnership, they always say that it is a very dense kind of document, the little bit that is available, and they ask why it is something they should be concerned about. I simply ask them if they are concerned about what is on their table. Who decides the regulations around pesticide residue? Who decides the degree to which additives are put into our food supply and what kinds? Who decides what kinds of security arrangements we have at our border? If we are concerned about those things, we should be concerned about the security and prosperity partnership.

The Liberals said they just wanted to streamline procedures and regulations. This government says the same thing. Why would they be concerned about bringing these changes in procedure to this place, to Parliament, to allow Canadians, through their members of Parliament, to understand what they are?

It is a matter of how we think government should work. Is this something that governments should have a role in? Should they decide, in an open forum, how food quality and security arrangement procedures are done? Should that be done in the full light of day or should it be done behind closed doors? If we believe the previous government and this government, they have said that we elected them to do that, that we should just trust them and just not worry about it.

When we look at this particular treaty and some of its pitfalls and at the security and prosperity partnership and the lack of transparency there, we come to the conclusion that our governments simply do not want to share this information with Canadians. As I mentioned, in this particular treaty there are problems in article 52. There are also problems in article 71.

We also have to evaluate what it is that Canadians are going to receive from this. When I asked at committee what benefits would accrue to Canadians, even those who were supportive of the treaty said it was something that would actually help business. That is fine. That is good. We want to have a healthy business sector, as I mentioned before, and a mixed economy, one that creates investment opportunities. However, I asked one of the witnesses if this is something we are lacking right now, as a result of which we are not receiving investments, and the answer was clearly no. It is not something we need to have in any way, shape or form to entice people to invest in Canada.

● (1815)

People have probably noted, by looking at the business pages of late, two things. One is the manufacturing jobs, which have been the foundation of many of our communities, are falling apart. They are basically bankrupt or are going down the highway. The other thing people will note is that the businesses doing well are the ones that are taking our resources, be it bitumen and the oil sands or natural resources on the west coast, forestry, et cetera, but not having that value added.

We are not getting the kind of investment that would help those in our cities, town and villages to build a better life and a better community. Why? I think it is because the government is more focused on standing up for corporations and streamlining things for them. Let us be honest about it, the government is not really concerned about the investments that go to help in the communities, villages, towns and cities across the country.

I give the forestry sector as an example. This will not help the forestry sector in any way, shape or form. The $14 billion in tax cuts, the great tax cut swindle this past fall, will not guarantee key investments in the forestry sector or in the auto sector. In fact, we are waiting on the government to give some sense that it is there to help everyday Canadians, but it has said only if we pass its budget.

These kinds of treaties, the SPP kind of process, are a clear indication to Canadians of where the present government, the previous government and opposition parties stand on this bill. The government is more concerned about making sure things are nice and streamlined, thanks very much, for multinational corporations. However, when it comes to the person who gets up every morning, goes to work, does his or her best, contributes and builds through the individual's community, the government says sorry that is does not have much for them.

Ask people who have been laid off in the forestry and manufacturing industries. There is nothing there for them. All they have been given is a cent off the GST. That is great. I am sure they are very thankful of their government for that.

When we look at the cost benefits of the bill and what the government has done for working families and everyday Canadians, one has to say not much. By changing the dynamics and how we settle investment disputes through the international tribunal process on lawsuits by foreign investors against governments over alleged violations and protections, Canadians understand whose side the government is on, and I guess we can now say the Bloc and the Liberals, and who is on the side of Canadians.

I think most Canadians would want their government to say that in the area of investment dispute settlement what should matter is how it benefits citizens. I can guarantee that by passing the bill, we will be telling corporations that they now have a nice, streamlined procedure so if they need to sue someone, it is no problem, not to worry, to be happy. They will be happy. We heard it in committee.

What I have not heard from government or opposition members is that old adage of what is in it for us, the "us" meaning Canadians. I can say there is not a lot. What seems to be there for everyday Canadians is essentially taking our accountability mechanisms and outsourcing them, in this case to the World Bank.

I will end where I began. This is not the end of our country and giving up all our sovereignty, but it is a very disturbing thread that we have seen from the present government and the previous government. When we add it up with the SPP and some of these trade agreements, what it tells Canadians is that the government is on the side of multinational corporations, that it is there for them. We saw it with the government's budget and we see it with this bill.

● (1820)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have a quick question for the record. I think the member mentioned that four countries were trying to get out of this agreement. Could he list those countries so we have it on the record?

Mr. Paul Dewar: Mr. Speaker, as of last April, Central America, South America, Nicaragua, Bolivia and Venezuela have given notice that they are trying to withdraw. There is one more and I apologize to my colleague, but I will get that to him.

As I said, this is not easy. We have concerns. Notwithstanding section 71 in the treaty, which says a country can withdraw, give notice, some of these countries and other commentators have suggested it is not only a matter of giving notice. They have to understand the implications and the blow back from corporations because they have invested so much in themselves to use as a mechanism. They could go after governments if they decided to pull out.

It is a matter of saying yes. Section 71 says countries can withdraw. I simply was noting that to say it was not as easy as just giving notice.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague. On the issue of the credibility of the World Bank, we are here to rubber stamp this forum, yet the World Bank has caused damage on the international stage by its use of backroom trade pressure to undermine legitimate decisions by national sovereign governments.

I point to 2005 when Ecuador had part of its $100 million loan held back by the World Bank in punishment because it had the audacity to spend some of its own money on health and education. The World Bank thought that was an egregious abuse of the rights of investors, of people who were looking for this global race to the bottom. The World Bank has been the bully boy. It has destroyed good attempts at development by national sovereign governments.

Suddenly we in the House are supposed to accept the principle that the World Bank will arbitrate in a fair and open manner. It will not be open because dispute mechanisms will only be made public if both parties agree. There will only be binding third party briefs if both parties agree and it will be completely separate from any appeal process.

Does my hon. colleague not think it is a bit rich that at this time in our history with, for example, Naomi Klein's book *The Shock Doctrine* and with the incredible disgrace of Paul Wolfowitz, a good friend of the Conservative Party that has already risen to his reputation, we are now being told the World Bank is somehow an august, credible body in terms of international trade and fairness?

Mr. Paul Dewar: Mr. Speaker, I thank my colleague from Timmins for his point which needs to be underlined. The question is, whose side is being represented here?

One of the things that I did not include in my comments is that the ICSID administrative council meets each year in the fall, which is at the same time as the World Bank gets together and the IMF has its annual meeting. The council is chaired by the president of the World Bank.

I watched the sad saga of Mr. Wolfowitz, the person who came in to say that he would clean up the corruption that was rampant in the World Bank. It was strange and bizarre to watch Mr. Wolfowitz trying to in some way explain himself and what he was doing when he hired one his friends and got her a contract. It was shameless.

Here we have a matter of being told to trust them. Why should Canadians put their trust in an institution like the World Bank which has had problems in deciding who is in charge? When someone was found to be corrupt, it had a hard time getting rid of him.

I would suggest that Canadians would be better served dealing with things here in our own jurisdiction and, until the World Bank can get its act together, that we do not go that route, that we keep things here as much as we can. We cannot always do it but in this case we are being offered that.

I have one final thing to mention which might be interesting to my friends from Alberta. Why is Alberta not signing on to this? Maybe Alberta has received some intelligence from Washington that this is not something it wants to get into because it might hurt the oil industry in some way if it were to submit its sovereignty to Washington. I do not know if that is the case but it would be interesting for my colleagues, if they have a chance, to answer the question of why Alberta is one of the provinces that does not want to sign on to this protocol.

● (1825)

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I appreciated listening to my colleague's comments on Bill C-9. He made an interesting point, which is that this bill on its own may not threaten Canadian sovereignty and may not lead to disaster but it is part of a pattern. The cumulative effect of these kinds of decisions is what is worrying Canadians and what is worrying other countries.

I want to ask the member specifically about the impact of this approach as we see in Bill C-9 on some third world countries, keeping in mind that this whole initiative is around helping developing nations, and specifically with respect to the role of the ICSID in challenging South Africa's affirmative action policies and the role of ICSID in the economies of Nicaragua, Bolivia and Venezuela, making them withdraw from the ICSID. We are talking about something bigger than has been suggested by the Conservatives, the Liberals and the Bloc, all of whom seem to support this approach. We are talking about some worrisome patterns. I would like the member to comment on that aspect.

Mr. Paul Dewar: Mr. Speaker, my colleague is right in saying there are problems with it in terms of those countries which are trying to withdraw. The irony is that initially this was to be an arrangement that was to benefit countries in the southern hemisphere. After World War II and Breton Woods, and the setting up of the IMF, the World Bank was supposed to do the same thing.

I do not want to leave people with the impression that the New Democratic Party does not support the idea of these institutions. The problem is what happened to these institutions. The problem is they are not working for people.

Fundamentally the difference we have with the other parties is we believe that these institutions, in fact government itself, should be working for people and not the other way around. Instead, what has happened over a period of time is that these institutions have been tailored not to help people, but they have put corporations ahead. It is very interesting in international law when we look at the rights of people versus the rights of corporations. Corporations are trumping people time and time again. The effects are devastating. They are anti-democratic.

Instead of saying we believe in these institutions and that we should reform these institutions so that we can have trade deals that are going to help people and be fair, we see people who are involved in the business of lobbying and international lawyers who look out for the best interests of corporations and certainly themselves being able to change how these institutions work. That is so very sad.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1830)

[*Translation*]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am pleased to rise today in reference to the question I asked on December 13, 2007, regarding the importance of an action plan for the manufacturing and forestry industries. At that time, the Minister of Finance was telling us that all was going well, that everything was rosy, that all measures in place were perfect and that there was no need for additional measures.

As for the Prime Minister, he came to Rivière-du-Loup during that period. He talked a little about the fact that the situation maybe was not quite as rosy and that perhaps announcements should be made before the budget. In January, he announced that $1 billion was available for economic diversification of the regions.

Until now, this could be considered interesting news. However, there is a problem. Two things are unacceptable. First, the amount is definitely not enough. $1 billion in Canada to resolve the entire issue of economic diversification and to deal with the crisis in the manufacturing and forestry industries is just not enough. What made Quebeckers really angry was that the Prime Minister decided to tie this to the next budget even though he had been told for several months that it was important to make monies available quickly.

Then the Conservative government decided to announce that the money will be made available if the next budget is passed, and that an agreement will have to be reached with the province. Yet the crisis has now been going on for months.

Why did the government not do what it did in December following the economic statement, when it tabled a bill to cut the GST and follow through on a number of other things in that statement? The opposition cooperated, and everything was passed before Christmas.

Why did the Conservative government fail to take such quick action to help communities, businesses and older workers who need help and who have been affected by the crisis in the forestry and manufacturing sectors? Why is the government unwilling to demonstrate the same degree of flexibility and speed of execution in this case? That is unacceptable.

The Leader of the Bloc Québécois suggested bringing the House back earlier in January, but that suggestion was rejected. Now we are back in the House for the first time this year, and the government is still in a position to move forward and announce that it will introduce a bill and debate it to see how much money should be invested in this plan.

The Bloc Québécois is pleased that its persistence has finally resulted in an announcement. However, the plan has to be reasonable, logical, sufficient and, most importantly, it has to be implemented quickly. That is my goal in raising the issue once again.

The Conservative government should heed the angry protests of the people affected by the crisis in the manufacturing and forestry sectors, reverse its decision, announce that the money will be made available quickly, and introduce a bill in this House so that we can pass it without delay, as we have done in the past for measures that we believed to be essential.

It is possible for members of the House to cooperate on issues like this. The Conservative government has no reason to make this promise contingent on the next budget being passed. The current proposal is for $1 billion from the $243 billion budget for all of Canada. Will the government introduce its bill, open the debate on increasing that amount, and ensure that the money will be made available as soon as possible?

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I thank the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup for the opportunity to outline the extensive support that this government has delivered for the manufacturing and forestry sectors. This government acknowledges that these sectors are important components of our economy and we have advanced both broad based and targeted tangible measures to demonstrate our commitment to help these sectors succeed.

Indeed, since 2006 we have provided over $9 billion in support for the manufacturing and forestry sectors. Measures include support for workers and communities, such as the recently announced $1 billion for the community development trust. This important program will help provinces and territories assist one industry towns facing major downturns, communities plagued by chronic high unemployment, or regions hit by layoffs across a range of sectors, including manufacturing and forestry.

Reaction to this announcement has been very positive. British Columbia's Liberal forestry minister, Rich Coleman, has called the trust very good news. Manitoba's NDP premier, Gary Doer, also praised the trust, remarking he was “very pleased with the flexibility because it allows us to target in Manitoba some of the industries that are under pressure”.

We have also moved to create a more competitive tax system to help manufacturing and forestry businesses be successful and sustain that success.

Indeed, the tax reductions announced by this government, the majority of them broad based, will result in over $8 billion in tax relief for manufacturers and processors over the period of 2006-07 to 2012-13. This includes tax reductions totalling about $2.5 billion in this and the next five years. The October 2007 economic statement included reducing the general corporate tax rate to 15% by 2012. A budget 2007 measure allows manufacturing firms to write off their investment in machinery and equipment much more quickly. There are permanent faster writeoffs for computers and buildings used in manufacturing to better reflect the useful life of these assets. These are important measures that will go far in ensuring that our manufacturers can thrive in a competitive global marketplace.

For instance, referring to this government's action to lower corporate rates to 15%, Jayson Myers, who is president of Canadian Manufacturers & Exporters and chair of the Canadian Manufacturing Coalition, stated the following:

> The reduction in the federal corporate tax rate is an extremely important step in sustaining Canada's ability to retain and attract business investment. It keeps us in the game as countries around the globe are lowering their tax rates to do the same. This reduction is important to the long-term competitiveness of the Canadian economy.

These are not band-aid solutions but measures in the best interests of the economy and job creation. We are leaving more money in the hands of manufacturers to invest in new technology to become more productive and competitive.

● (1835)

[*Translation*]

Mr. Paul Crête: Mr. Speaker, today, the Premier of Quebec and the Premier of Ontario stated that it was essential that the money be available immediately and that more money be added to these funds.

The Conservative government's initial response is not enough. The government needs to go further, quickly, so that the money can be made available as soon as possible to the municipalities and regions affected by the crises. This money should not be tied to the next budget.

Can the Parliamentary Secretary to the Minister of Finance assure me that the government has moved on this and will make the money available and that it will table a bill in the next few hours or days to make that money available to everyone? The government must respond to the economic slowdown Canada is experiencing and the crisis in the forestry and manufacturing industries.

In December, the Minister of Finance was still saying that everything was rosy. He was wearing his rose-coloured glasses. In January, the government admitted that there was a problem. Today, the government has to admit that action is urgently needed now. The money must be available immediately so that the members of this House can discuss amounts—

The Acting Speaker (Mr. Royal Galipeau): The Parliamentary Secretary to the Minister of Finance.

[*English*]

Mr. Ted Menzies: Mr. Speaker, while we are all concerned with the future of the manufacturing and forestry sectors, it is important to pause and take note of the larger economic picture in Canada and indeed in Quebec.

We have solid economic fundamentals demonstrated through our robust labour market. The unemployment rate is at a 33 year low. In Quebec alone we have witnessed tremendous job growth at 2.4% in 2007, well above the national average, and it was the province's best showing in five years.

Even the CIBC world markets report released today states that manufacturing sector job losses are being offset with higher quality, well paid work in an assortment of sectors ranging from public administration to computer services, oil and gas extraction, and many more.

What is more, some observers suggest the long term trends are for even tighter labour markets, indeed potentially labour shortages in Canada, especially in Quebec. According to a December 2007 Conference Board of Canada report, Quebec faces a worker shortfall of nearly 400,000 by—

● (1840)

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted.

[*Translation*]

Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:40 p.m.)

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