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OFFICIAL REPORT
(HANSARD)

Wednesday, February 6, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, February 6, 2008

The House met at 2 p.m.

Prayers

• (1405)

[*English*]

The Speaker: It being Wednesday, we will now have the singing of the national anthem, but we are going to be led today by a special group. The Watoto Children's Choir from Uganda will join us in the gallery.

[*Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

LUNAR NEW YEAR

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I send warm greetings to Canadians celebrating Lunar New Year. This year we enter the Year of the Rat, an animal traditionally associated with discipline, hard work and material success.

During this special time of year, Canadians of Asian heritage will join their families and friends in feasts and celebration.

As the Prime Minister said when attending a Lunar New Year event last year, Canada “is a country in which what you've done and where you're going matter more than who you are or where you're from, a country united at home and respected abroad, a country unwavering in its commitment to freedom, democracy, human rights and the rule of law; in short, a country of which we can all be proud”.

I encourage all Canadians to use the Lunar New Year period to celebrate the tremendous contributions that members of the Asian community have made to this country's rich and diverse heritage.

I hope the Year of the Rat fulfills its promise and brings all Canadians health, wealth and happiness.

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BLACK HISTORY MONTH

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, February is Black History Month.

This is a time to celebrate the many achievements and contributions of black Canadians, who throughout history have done so much to make Canada such a culturally diverse, compassionate and prosperous nation.

Today we are delighted to welcome to Parliament Hill young guests from the Children's Breakfast Clubs, a non-profit charitable organization that believes every child is entitled to a nutritious breakfast.

An estimated 4,000 meals are served each week in the more than 20 clubs across the greater Toronto area.

After question period today, all members are invited to a reception in Room 200, West Block with the Committee on Community, Race and Ethnic Relations of Toronto, where this year's Black History Month poster will be presented to all members.

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[*Translation*]

SUPPLY MANAGEMENT

Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the chair of the WTO's negotiating group on agriculture is about to release a report on the modalities for agriculture. The Bloc Québécois shares the concerns of supply managed producers.

Tomorrow, the Minister of Agriculture and Agri-Food will address the milk producers who are currently holding their AGM in Ottawa. He is to confirm that the government plans on respecting the full unanimous motion of the Bloc Québécois. The Bloc fought alongside Quebec producers to use article XXVIII in order to limit milk protein imports and to guarantee the protection of supply management.

The Conservative government's attacks on the Canadian Wheat Board have made us very vigilant. Quebec producers can count on the Bloc Québécois to keep fighting.

* * *

[*English*]

SOCIAL HOUSING

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, 1.8 million Canadians cannot afford proper housing and 300,000 Canadians, including 20,000 children, are homeless.

This is a national disaster and a disaster for women. The government is failing ordinary Canadians. Women and children in Canada are disproportionately affected by the housing crisis.

Statements by Members

One in five families with children is led by a single woman and 42% of these families experience housing affordability problems, while 72% of senior women cannot afford adequate housing.

Canada is the only industrialized country with no national housing program.

In January, the Federation of Canadian Municipalities, led by Mayor Anne Marie DeCicco-Best and Mayor Sam Sullivan, released an action plan to end homelessness and deliver affordable housing.

New Democrats applaud this report and call on the government to allocate an additional 1% of the federal budget toward social housing.

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2010 OLYMPIC AND PARALYMPIC GAMES

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, we are joined today by John Furlong, CEO of the Vancouver 2010 Olympic and Paralympic Games, Paralympian Ray Grassi, Olympian Jayna Hefford and Bell Olympian Jeff Bean.

Two years from now, the Olympic flame will be lit in Vancouver. *[Translation]*

Around the world, three billion people will be watching Canada as we host the 2010 Olympic and Paralympic Winter Games.

[English]

That flame will shine a light on our country like never before, giving us a once in a generation opportunity to share our athletic and creative excellence.

[Translation]

It will also give us an opportunity to honour our aboriginal heritage and to present the very best of Canada to the whole world.

[English]

The Vancouver 2010 Games are Canada's Games.

[Translation]

I would like to invite all Canadians to join us in welcoming the people of the world in a spirit of peace, brotherhood and respect.

[English]

The 2010 Olympic and Paralympic Games are a time to celebrate, cheer our athletes to gold and show the world the best of Canada.

* * *

BLACK HISTORY MONTH

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, 2008 marks the 175th anniversary of the act to abolish slavery in the British Empire.

It is also 12 years since the Hon. Jean Augustine introduced a motion in the House that declared February Black History Month in Canada.

It is time to celebrate the unique contributions of great Canadians such as Lincoln Alexander, former lieutenant governor of Ontario; Alvin Curling, the former Speaker at Queen's Park; and, naturally,

jazz legend Oscar Peterson, who will be sadly missed by all Canadians and in fact the entire music world.

Unfortunately, in the past two years that the Conservative government has been in power, little has been done to advance the cause of pluralism and multiculturalism in Canada. That is why it is so important to recognize these great citizens of Canada.

On behalf of all Canadians and the people of Don Valley East, I invite all parliamentarians and staff to join us after question period in Room 200, West Block in celebration of Black History Month.

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GOVERNMENT POLICIES

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, two years ago on February 6, 2006, our Conservative government was sworn in. Today, we continue to deliver positive results for Canadians.

Two years ago, our Prime Minister said, "We will build on the shared achievements of Canadians—past and present—to keep our country strong, united, independent and free".

With his strong leadership, this Conservative government is working together with Canadians to build a better Canada. By setting focused priorities, we continue to pursue an agenda of clear goals with real results.

Unlike our opponents, we choose to govern, not to rule. Our country has seen that leadership without service is self-serving, just as leadership without priorities goes nowhere.

Today, our government is more accountable, our economy is stronger, and our country is more united. Canada is back. Happy anniversary.

* * *

● (1410)

[Translation]

SUICIDE PREVENTION WEEK IN QUEBEC

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, this week is suicide prevention week in Quebec. The theme is "Open your eyes", which encourages people to pay attention and to eliminate taboos.

Although the suicide rate in Quebec is falling, it is still higher than in other provinces. Even more alarming is the fact that the suicide rate is even higher among first nations and members of the armed forces.

The suicide rate among aboriginals is three times higher than in the general population, and among aboriginal youth, it is five times higher.

Four percent of military personnel who served in Kandahar have thoughts of suicide, and 4.6% suffer from serious depression. In 2006, 10 soldiers committed suicide during their military service.

The Bloc Québécois is urging the government to open its eyes and take action to put an end to the psychological distress experienced by military personnel and aboriginals.

*Statements by Members***THE CONSERVATIVE PARTY**

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, today, after two years, I would like to congratulate my Conservative colleagues, who are addressing the real issues that Quebeckers truly care about.

The softwood lumber dispute, which only deteriorated under the Liberal-Bloc regime, is finally over. We said yes to \$8 billion in tax relief for the manufacturing sector. Yes to \$1.3 billion for research in science and technology. Yes to a green plan with concrete targets, restrictive standards and more than \$5 billion for renewable energy. Yes to \$190 billion in tax relief for families and seniors. Yes to supply management with concrete action and not just rhetoric.

Meanwhile, the Bloc rambles on, endlessly criticizing and offering no concrete record of action for Quebeckers.

As everyone can see, while the Bloc Québécois blows every which way, advocating first one thing and then the very opposite, the Conservatives are thinking about the real interests of all Quebeckers and all Canadians.

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[English]

GOVERNMENT POLICIES

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, today marks two years of broken promises by the Conservative government. The government started off promising to be squeaky clean and to achieve five priorities. Instead, it opted for mismanagement and harpocracy. Here are some examples.

The government broke an election promise not to tax income trusts, resulting in a loss to Canadians of \$25 billion and counting.

The finance minister flip-flopped on the disastrous interest deductibility measure.

The government gutted 92% of funding for climate change programs and then repackaged them with new names, less money and less commitment.

The government broke an election promise to honour the \$5.1 billion Kelowna accord.

The government turned back the clock on women's equality by removing the word "equality" from the mandate of the women's program.

The government broke an election promise to create 125,000 new child care spaces.

After two years of harpocracy and two years of broken promises, this is not a happy anniversary.

* * *

TACKLING VIOLENT CRIME ACT

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, another week has passed and again I am forced to question why the leader of the official opposition allows his Liberal colleagues in the Senate to block passage of a bill offering free legal protection for Canadian families.

Bill C-2 was passed in the House of Commons after a month of debate. However, after 69 days in the Senate, the bill is not even close to being passed.

MADD Canada's national president said today, "We plead with the Senators in the Committee and in the Chamber, don't delay passing Bill C-2".

The Canadian Centre for Abuse Awareness also called on the Senate to move the bill quickly through the upper chamber. It stated, "It is essential to ongoing public safety and the maintenance of continued citizen confidence in the Canadian criminal justice system that this legislation be quickly passed".

Despite the support of these organizations, the Liberal Premier of Ontario and ordinary Canadians, the official opposition leader's weak leadership continues while his Liberal senators stall and delay.

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MEMBER FOR VANCOUVER KINGSWAY

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, a little over two years ago a then Liberal candidate said:

If they get elected, they are going to begin a massive review of programs and a massive set of cuts to government programs....I'm going to be [the Prime Minister's] worst enemy.

However, two years ago today, the former Liberal MP for Vancouver Kingsway betrayed his constituents and Canadians by becoming a non-elected Conservative MP. It was only the beginning of a long career of broken promises.

As the minister of trade betrayals, he signed a softwood lumber sellout that rewarded U.S. producers with \$1 billion in the proceeds of trade crime so far and cost over 10,000 lost jobs here. He has pursued a sellout with South Korea that guts the Canadian auto industry. He was out-negotiated by the tiny state of Liechtenstein and sold out Canada's shipbuilding industry to EFTA. He is selling out Canadian values of justice and human rights by pushing an agreement with Colombia, with the worst human rights record in the western hemisphere.

Betrayals, sellout, he sure is consistent. What a shame.

* * *

•(1415)

[Translation]

THE CONSERVATIVE GOVERNMENT

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, this is a pretty dismal second anniversary, I would say, for the Conservative government. For a party that ran on a platform of accountability and trustworthiness, it has a long record of broken promises and missed opportunities.

This government had promised to respect official languages, something that is at the heart of our identity. Since taking office, however, the Conservatives have launched attack upon attack on bilingualism. They have cancelled the court challenges program and weakened bilingualism both on military bases and in the armed forces in general.

Oral Questions

The Conservatives had promised to maintain the level of funding for the Canada Council once elected, but we soon found out that culture matters little to this government, which quickly cut the budgets of museums, assistance programs and international initiatives.

When it comes to defending the fundamental elements of our culture, which define our distinct identity, the Conservatives have not hesitated to renege on their promises. And that is something the Canadian people will remember.

* * *

SENIORS

Mr. Raymond Gravel (Repentigny, BQ): Mr. Speaker, over the past ten years, the various governments in office have put a total of \$95 billion toward the debt, without prior debate in the House. Yet, over the years, in excess of \$3 billion has been siphoned away from seniors. Even more despicable is the fact that the member who, when he was in opposition, was a strong and very vocal advocate for seniors, is now turning a deaf ear and is not doing anything to help those seniors who have glaring needs. The Bloc Québécois is asking the government to fully repay the seniors who were adversely affected by the poor management of the guaranteed income supplement program.

The poorest of our seniors are truly doing an incredible feat by surviving on what little money the government is giving them. It is terribly ungracious on the government's part to announce billions in surpluses, while leaving the needy to choose between getting adequate food and adequate clothing.

Seniors will remember that, and the Bloc Québécois will make sure they do.

* * *

[English]

FOREIGN AFFAIRS

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, two years have gone by since the government was elected and it has been two years of Conservative neglect of a litany of consular cases of Canadians abroad.

It has also been two years since Brenda Martin has been languishing in a Mexican prison. For two years, Brenda's rights under international law, and even under Mexico's own constitution, have been ignored and for two years, the Conservative government has done nothing.

Yesterday, in a meeting between the Secretary of State for Foreign Affairs and International Trade, Brenda's lawyer and her close friend since high school, a promise to speak with Brenda via phone from her prison cell was not kept.

What would it have taken for the minister to tell Brenda Martin that everything was being done to gain her release? What would it have taken for the minister to comfort an innocent woman who feels that her government has indeed abandoned her?

As Canadians look at the two years in office of the Conservatives, let them also take time to wonder about Brenda's two years behind

bars and the other cases that this inept government has clearly failed to address.

* * *

TACKLING VIOLENT CRIME ACT

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, I rise in the House today to highlight the unacceptable actions of the Liberals concerning a matter of great importance, the tackling violent crime bill.

Today the Canadian Crime Victim Foundation added its voice to those calling for the tackling violent crime bill to be passed immediately in the Senate. It said, "We call upon all members of the Canadian Senate to do the right thing for all Canadians and pass this legislation without delay".

Canadians want the Liberal leader to show some leadership and have his Liberal senators pass this crime bill now.

As the father of five children, I and other Canadians like me want to see the age of protection raised from 14 years old to 16 years old in order to protect our children from sexual predators. Increasing the age of protection is part of the tackling violent crime bill and it is being blocked by the Liberal dominated Senate.

Shame on the opposition leader. Shame on the Liberal Party. Shame on the Liberal dominated Senate for delaying and obstructing a bill that concerns the safety of our children.

ORAL QUESTIONS

● (1420)

[English]

COMMUNITY DEVELOPMENT

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, leadership demands honesty. Yesterday when I asked the Prime Minister why he tried to blackmail Canadian workers and families by linking his aid package to the budget, he claimed that the link he made was not with the budget, but with the return of Parliament.

Everybody knows this answer is false. It was with the budget.

Does the Prime Minister not understand that the reason Canadians are more and more uncomfortable with him is that they rightly believe they are entitled to have trust in their Prime Minister?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, in January the government made an important announcement of a \$1 billion fund, which is important for Canadian communities and workers. We said that we needed budgetary approval. We also, when the House returned, offered to the opposition the possibility of passing this earlier, which all parties of the House did earlier this week.

This has been welcomed across the country, including by his friend, the Liberal Premier of Ontario.

Oral Questions

I do not know why, when Parliament is actually working together to accomplish something, the Leader of the Opposition would bring petty partisan politics back into it.

* * *

[*Translation*]

HEALTH

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, leadership requires honesty and also competence. Let us examine the incompetence of this government in the case of Chalk River.

The Minister of Natural Resources could have prevented the crisis months ago but did nothing about it. The government put the business interests of a company ahead of the safety of Canadians. The government could have done much more to locate sources of the isotopes and cover the shortfall. The evidence is mounting.

Does the Prime Minister realize that his government's incompetence was the cause of the isotope crisis?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this potential isotope crisis was very serious for the health system. That is why the government took action with the support of all parties in this House. This is an important matter affecting the health of Canadians.

I regret that later, when the Leader of the Opposition returned abroad, they decided to change their position. But it was the right decision for Canadians' health.

* * *

AFGHANISTAN

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, leadership calls for honesty and competence, and also for rising above partisanship.

When the time comes for the Prime Minister to open the debate on Afghanistan, will he stop misleading Canadians about the mission? Will he stop hiding the truth about the mission? Will he stop excusing the incompetence of his ministers? Will he stop insulting Canadians who are asking legitimate questions about the mission?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the decision and the mission in Afghanistan are very important for Canada. This mission is being conducted under the United Nations mandate with our NATO allies, at the request of the democratically elected government of Afghanistan. It is a very important mission for us, for the morale of our troops and for our security. The decision is very important.

[*English*]

The government has every intention of being very clear with Canadians, just as the former deputy prime minister has been clear with Canadians. The choice is clear. We either stay and do the job with our military in Afghanistan or we leave. We believe we should get more commitments from our allies and stay.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, for two years, there has been mounting criticism of the Prime Minister's failure to lead in Afghanistan.

This week we learned the Prime Minister has finally, at the eleventh hour, begun to call NATO countries to ask for much needed assistance for our troops. He should have made those calls last year, and we said so.

Why did it take a year, with the deadline fast approaching, for the Prime Minister to realize the urgency of the situation and take responsibility—

• (1425)

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, during the last two years, while the Liberal Party completely reversed itself and decided we should suddenly pull out of Afghanistan, the government was working with our allies to strengthen that mission.

We have seen important contributions from many countries, including an additional contribution from Poland, the United Kingdom and the United States. These contributions are very important.

We will continue to press for additional contributions from NATO because we think those are important. However, we do not think there is cause, if NATO is willing to give us what we need, to abandon our commitments to the Afghan people.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, as usual, the Prime Minister gets it more than wrong. The party over there wants to pull out of Afghanistan, not this party.

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Etobicoke—Lakeshore has the floor to put a question. We need to have some order because I cannot hear a word that is being said. The hon. member for Etobicoke—Lakeshore has the floor.

[*Translation*]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the Prime Minister spends more time talking to foreign politicians like Messrs. Sarkozy, Brown and Bush, than to his own citizens. He should start by telling the truth about the choices we have.

When will the Prime Minister show some respect for Canadians and establish an open and honest dialogue with them about the mission in Afghanistan?

[*English*]

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, when the deputy leader of the Liberal Party says that Canada should stay in Afghanistan, I am convinced that is indeed his position.

I think that should also be Canada's position. We undertook important obligations to the Afghan people, to the international community and to our NATO allies.

A report, put together by a panel of experts, including the former deputy prime minister of the Liberal Party, has indicated that we need additional help. Our government is clear that with that additional help we are prepared to move forward with our allies.

Oral Questions

These are never easy decisions to make or communicate but one needs to be on one side or the other.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, this morning, we learned that the Prime Minister intends to introduce a motion about extending the mission in Afghanistan. Last week, I asked the Prime Minister if, out of respect for our NATO allies, he would commit to putting his motion to the vote before the NATO summit so that he could go there with a clear mandate from the House of Commons about the future of the mission. He refused to answer.

Will he answer my question today?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government will soon introduce a motion to extend the mission in Afghanistan. The motion will set out the important conditions that we want from NATO.

I hope that this motion will be the subject of debate not only here in the House but also in the committees. I encourage the Bloc members and other opposition members to take the time to study the Manley report in their parliamentary committees in the weeks to come.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, that is a little strange. One of the recommendations in the Manley report is greater transparency, and the Prime Minister cannot even give us an answer about whether the vote will be held before or after the NATO meeting.

I would also like to know if this vote will be held before the budget is tabled. Such a decision will, inevitably, have financial repercussions, and we should have the opportunity to vote on the budget with full knowledge of the facts so that we do not commit to military expenditures for a mission that may not be renewed.

• (1430)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the last time we had a debate on Afghanistan here, the leader of the Bloc complained that the debate was too short. Now he is complaining that the debate is too long, even though it has not yet begun. We intend to give the members of the Bloc and the other parties ample time to debate this very important issue.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, it is becoming increasingly difficult to get the truth about the fate of detainees captured by the Canadian army. The ministers have two contradictory stories.

The Minister of Foreign Affairs has told us that detainees are not being transferred because of known cases of torture. His colleague, the Minister of National Defence, has stated that we should envisage the possibility of building a Canadian prison in Kabul. There is widespread confusion.

Given that detainees are not being transferred and the prison is not ready, can someone in this government tell us what is happening to these prisoners in the meantime?

[*English*]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, this question has been asked and answered many times but the answer remains the same. What I

would really like to hear discussed is not potential crime or alleged crime in Afghanistan, but perhaps the Liberals could get their Senate colleagues to do something serious about tackling violent crime and do something serious for crime in Canada.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, if we have to keep asking these questions, it is because we keep getting this sort of answer, an answer that has nothing to do with the topic at hand.

The Minister of National Defence said that detainees were kept in a certain location. Could his parliamentary secretary tell us who is guarding this location? Is it the Canadian army? Is it the American forces? Or the Afghan police?

It is time for this government to end its culture of secrecy. We want to know and we are entitled to know what is going on.

[*English*]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I thank my hon. colleague for the same question. I would point out again that we have a supplementary arrangement that is working very well, which is why this one case that has come to light has been dealt with by the Afghan authorities. They have taken action against the individual involved.

The authority for detaining or not detaining, or transferring or not transferring rests with the Canadian Forces. We trust General Hillier to make the right decisions. We trust his people on the ground to make the right decisions. We will always back them up. We will not override their authority as the other parties would have us do.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the NDP has proposed a path to peace in Afghanistan. The Conservatives have proposed continued war. Evidently, the Liberals have chosen to side with the Conservatives. It is the wrong choice for Canada and it is not leadership.

On a related matter, will the Prime Minister call on the Auditor General to examine the accountability mechanisms of CIDA and the contracts with the recipient organizations of Canadian aid in Afghanistan to ensure that money is going to the people who need it in Afghanistan and not into Swiss bank accounts?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, let me assure the House that CIDA's contributions to its work anywhere in the world is very robustly studied. The accountability in Afghanistan is triple-fold. We work with reputable organizations that monitor themselves. CIDA people are visiting sites and monitoring. We receive reports and we also have external observers and auditors looking at every program and every scrip that we provide.

• (1435)

[*Translation*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, that is not acceptable. There are problems with contracts, accounting and accountability. At least \$740 million has been paid out by CIDA in Afghanistan without audit. The minister just said so. Canadians want assurances that their money is going where it is needed.

Will the Prime Minister ask the Auditor General to report on this to Parliament? Where has the money gone? How much money has been spent? Are we getting our money's worth with these projects?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, the minister has answered the question. CIDA has many processes to ensure that our money is properly spent. The Auditor General audits all government departments.

* * *

[English]

FINANCE

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the finance minister still has not said that he is sorry for illegally paying a Conservative friend \$122,000 to write his budget speech.

Does this sentence, costing taxpayers nearly \$600, constitute good value for money?

From the majestic peaks of the Rocky Mountains to the rugged shores of Newfoundland and Labrador, many of the most beautiful places on earth are in Canada.

For 600 bucks, could they not check an atlas to see that Canada does not end at the Rocky Mountains?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I know the member opposite thinks that Canadian geography ends at Steeles Avenue in the GTA but it is not so.

Many people in Canada disagree with the member for Markham—Unionville when he says that he wants to raise the GST by two full percentage points, when he talks about saving the GST and restoring the GST. If he actually cared about Canadians from coast to coast to coast, he would not advocate raising the GST, raising taxes on Canadians.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, apart from that GST nonsense, I have not heard anything so geographically challenged since the public safety minister told Canadians that the Niagara River flows south.

[Translation]

I have heard that the Prime Minister's two favourite words are “discipline” and “consequences”.

Why was this minister, who broke the rules, not disciplined, and why did he not suffer the consequences of his violations? Will the Prime Minister at least apologize to Canadians?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the member opposite says that the GST is nonsense. He ridicules Canadians and the taxes they pay by saying that the GST is nonsense.

The GST is a permanent tax reduction for Canadians, a \$12 billion per annum tax reduction for Canadians. He would raise it. When he was asked about the GST, the member for Markham—Unionville said, “It's an option. All I can say is that it is consistent with our approach”.

The Liberal approach is to tax and spend and raise taxes.

Oral Questions

ETHICS

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, Canadians are increasingly seeing the government for what it is: vindictive, dishonest and incompetent.

There is no better example of the dishonesty of the Conservatives than their in and out scheme. Elections Canada caught the Conservative Party in the act breaking the law. For seven months, the government has refused hearings on this issue and now has resorted to simply shutting down the committee.

Clearly, accountability means little to the Prime Minister when it is about his own party's ethics and it is under the microscope. Why?

● (1440)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, for the Liberal Party all it is about is hijacking the institutions of Parliament for partisan purposes. The Liberals do that all the time. They have done that with the procedure and House affairs committee by seeking an investigation into election spending of one party while steadfastly resisting any investigation into their own activities and using their majority as opposition party to ensure that happened.

That is called partisan hijacking of parliamentary committees. They did that with the foreign affairs committee to block any debate on the Afghanistan Manley panel and it is what they have done over at the Senate where they are blocking the tackling violent crime bill that this House voted for as a confidence matter.

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, it was the Chief Electoral Officer who said that the Conservatives breached the law. Every other party in this House followed it.

For months we have been trying to get to the bottom of this scheme. The Conservatives have no shame about using their dirty tricks manual to shut down our committee. Rules are simply thrown out the window when the PMO directs what is happening in committees.

Why is the government so afraid of allowing Conservative candidates to testify before the parliamentary committee? What have the Conservatives got to hide?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the question is very simply what does the Liberal Party have to hide? Why will the Liberals not allow this investigation they want to apply to their party? Why will they not open up their books? When there is affidavit evidence documenting exactly their spending habits, why do they prevent that from being considered by the committee?

We want all the books open. We want every party investigated. We know why the Liberals do not want it. They saw what happened the last time their party was investigated: \$40 million went missing and they lost government. They do not like that.

Oral Questions

[Translation]

AFGHANISTAN

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, we learned that millions of dollars sent from Canada for humanitarian aid in Afghanistan are in fact in private banks and impossible to trace. Yet in budget 2007, the Conservative government promised greater accountability.

The truth is, nothing has been done. How can the government explain that, despite its promises, it is still impossible to know exactly where the money intended for humanitarian aid in Afghanistan is going?

[English]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as I said earlier, there are full processes for full audits, monitoring, reports and site visits. What do those results bring? They bring more children in school. They bring an increase in income. It means that seven million more children have been immunized for polio. Infant mortality is 22%.

That is where Canadian dollars are going and that is why Canadians support our efforts in Afghanistan.

[Translation]

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, it is easy to tell us how much money was promised for schools, for children and for which children. But this still does not give us an answer, an exact answer, to our question.

Furthermore, the Prime Minister said he accepted the main points of the Manley report. That means that he agrees with the recommendation to ensure greater accountability.

Does the government intend to implement that recommendation any faster than it plans to make good on the promise in its own budget?

[English]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, we do provide the information. In fact, this government provided \$60 million to the Afghan government to support the education system. The results that we are going to see from that are thousands of schools, hundreds of female teachers being trained, school books, and curriculum development. The results are there, the numbers are there, and \$60 million will go a long way to improving the education system in Afghanistan.

* * *

[Translation]

THE FRANCOPHONIE

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, the Minister of Foreign Affairs, who is Minister for la Francophonie and a francophone Quebecer no less, spoke solely in English at the gala of the Canada-Arab Business Council. Does he not know that in several Arab countries, French is used as a second language, and that a number of them are part of the Francophonie?

Does the minister realize that it is shocking for him to use only English, as Minister for la Francophonie, to address an audience for whom French is not a foreign language?

● (1445)

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, the hon. member is trying to make something out of nothing. He is exaggerating. His comments are exaggerated.

What has the Bloc Québécois done for the French fact here in Ottawa in over 13 years? Nothing. Absolutely nothing.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, we speak French. The minister, who boasts about recognizing the Quebec nation, is not able to use his own language to greet his audience.

Does he realize the image that he is sending to the international community, as Minister of Foreign Affairs and Minister for la Francophonie? Does he not think that under the circumstances, the least he could do is apologize?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, if I were the hon. member, I would be ashamed. I would be ashamed of asking such a question in this House. I would be ashamed of questioning my personal attachment to my mother tongue. I am a proud Quebecker and a passionate Canadian.

* * *

[English]

CANADIAN GRAIN COMMISSION

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, this vindictive, dishonest, incompetent government will stop at nothing to silence the voices of dissent. The latest attempt is a gag order issued to Canadian Grain Commission employees. The gag order says employees are allowed to express their views, but only as long as they do not criticize the Conservative government.

Given the numerous firings by the government, the union representing these workers is taking the gag order as a threat.

Will the government let these employees speak to the issues that affect them and put an end to this Conservative reign of terror?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, those are more baseless allegations. There is absolutely nothing to this. The memo had nothing to do with this government. It is an internal document by the Canadian Grain Commission.

If the member thinks the allegations are serious, he should take them outside. I know my lawyer would welcome the opportunity to send her son to university.

* * *

[Translation]

HEALTH

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, the Conservatives' vindictive, dishonest and incompetent attitude persists. Linda Keen was fired for putting the nuclear safety of Canadians ahead of the wishes of this government. The government was dishonest about the medical crisis. Its own medical advisor even said that the government had exaggerated the situation.

Why did the Prime Minister fire Ms. Keen, who was doing her job, instead of firing his own incompetent ministers?

*Oral Questions***JUSTICE**

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, that is not true. There was a problem facing Canadians and we had to take action to protect their health.

[*English*]

I can only quote Chris O'Brien, who is the head of the Ontario Association of Nuclear Medicine. He said this on the very day that we were debating the bill before Parliament:

Last week, I guess you could describe it as struggling. This week it's devastating, and next week potentially catastrophic.

That is what he said. This was a crisis. We acted on behalf of Canadians. We are proud we did.

* * *

SOFTWOOD LUMBER

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, when this vindictive, dishonest, incompetent government signed the softwood lumber agreement, we told the government that it was flawed.

The Minister of International Trade claimed that it would end years of litigation. He was wrong. American lobby groups are using the billion dollar tip left by the Conservative government to sue us and now they have threatened to take us to court over the Conservative band-aid trust fund.

Why is the Conservative government more worried about funding American lobbyists than helping Canadian workers?

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, I had the occasion to meet with some of the Canadian forest industry this week. I have to say that they are very happy to have the protection that the softwood lumber agreement provides them, because without the softwood lumber agreement, there would be more vicious, more damaging trade actions and they would not have the over \$5 billion in cash that was put into those companies' treasuries as a result of the softwood lumber agreement.

* * *

• (1450)

THE ENVIRONMENT

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, Environment Canada's website says that temperature increases associated with the climate change crisis "could also be within acceptable limits for natural temperature variation".

The Prime Minister claims to support the science, yet his plan and his government's information does not reflect global scientific consensus.

This vindictive, dishonest and incompetent government is still skeptical about the science. Is this the reason the minister is muzzling Environment Canada's scientists?

Hon. John Baird (Minister of the Environment, CPC): No, Mr. Speaker.

Mr. Mervin Tweed (Brandon—Souris, CPC): Mr. Speaker, the Leader of the Opposition has never really been serious about getting tough on crime.

While the list of Canadians demanding speedy passage of the tackling violent crime act continues to grow, the Liberal leader is content to sit on his hands. His refusal to urge his Liberal senators to expedite the passage of the bill is a clear indication that fighting crime and protecting Canadians is not a priority for the Liberal leader.

In the absence of Liberal leadership, can the justice minister inform the House what he will do to get the Senate to move quickly on this very important bill?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I want to thank the hon. member for that timely question.

As a matter of fact, I will be appearing before the Senate this afternoon. I will do something that the Leader of the Opposition is unable or refuses to do, which is to ask the Senate to expedite the passage of the tackling violent crime act.

If the Liberals will not listen to me or their friends at Queen's Park, maybe they will listen to some other groups, like the Canadian Crime Victims Foundation, MADD Canada, the Canadian Centre for Abuse Awareness. They are all calling upon the Senate to do the right thing and expedite passage of Bill C-2. Canadians deserve no less.

* * *

[*Translation*]

GOVERNMENT CONTRACTS

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, the Minister of Finance broke the rules and he admits it. He awarded a contract to a friend to write a lame speech on a bad budget. Even Jean Chrétien, the Prime Minister of sponsorships, fired Art Eggleton for paying \$36,000 for 14 pages. In this case we are talking about \$122,000 for 20 pages.

Does the Prime Minister realize that if he does not dismiss his Minister of Finance, he is proving that he has an even lower ethical standard than the sponsorship gang?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, as I said earlier this week, value for money was provided. The work was performed for the Canadian people. The administrative function was not followed and that has been corrected.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, the illicit contracting question went to a Conservative loyalist and long-time political organizer for the finance minister.

We do know that Mr. MacPhie was not the finance minister's ex-girlfriend, but surely the Conservatives will want to be at least as ethical as the Liberals who are responsible for the sponsorship scandal.

Just last week the same finance minister publicly attacked his own local town council for a similar untendered contract for \$134,000, saying "heads should roll".

Oral Questions

When is the Prime Minister going to get rid of his finance minister?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I will not repeat the answer I have already given, but I will say that when combined with the initiatives that we took in budget 2006, this year there will be more than \$21 billion in new tax relief for Canadians. In a time of slowing economy, this is equivalent to about 1.4% of Canada's economy. This will be delivered to Canadians in this year.

* * *

CHILD CARE

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, before the break, I told members of speaking to child care providers in Napanee, Ontario.

In Halifax-Dartmouth recently, I asked child care providers the same thing: "With the taxable allowance now available to their parents, how many more spaces are there?" "None", they said. "Then spaces with better facilities?" "None". "Then more of their parents are now staying home with their kids?" "None". I asked them again, "You say it is much worse than before, so you say 'none' when you really mean 'not many'?" "No," they said, "None. Zero".

Who is telling the truth, the minister or the people of Halifax-Dartmouth?

• (1455)

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the facts are clear. The truth is that by working with the provinces, they are committing to create 33,000 new child care spaces, something that never occurred under the previous government.

The more important fact is that the opposition has told Canadians it is prepared to take back the universal child care benefit which benefits 1.5 million families, which gives families the money they need so they can make decisions for their own children. Shame on those members.

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, is the minister saying that the child care providers of Napanee and Halifax-Dartmouth are not telling the truth?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the truth is that the member did not create a single space when he was the minister.

The fact is that this government is spending \$5.7 billion in direct payments to parents, money to providers and money to provinces. That is three times as much as the previous government provided for child care. We are getting the job done. The Liberals failed.

* * *

TOURISM INDUSTRY

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, with the U.S. economy weak and the Canadian dollar strong, the government should be looking at ways to boost the troubled tourism industry and bring tourists to Canada.

Could the minister explain why the State of Nevada spends more on promoting Las Vegas than the Conservative government spends on tourism?

Hon. Diane Ablonczy (Secretary of State (Small Business and Tourism), CPC): Mr. Speaker, the fact of the matter is that this government spends \$800 million a year promoting tourism. That is nearly \$1 billion and in fact our support for tourism has increased. The member knows that. I do not know why he is complaining because we are getting the job done when the members opposite did not.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, let me tell the House what the Conservatives have done to the tourism industry. They cancelled the individual GST rebate for tourists. Their poor relationship with China has left Canada one of the few countries that is not an approved destination.

This status would allow one million more visitors to come from China, but the Conservatives have bungled our international relationship. Why is this vindictive, dishonest, and incompetent government determined to destroy our tourism industry instead of expanding it?

Hon. Diane Ablonczy (Secretary of State (Small Business and Tourism), CPC): Mr. Speaker, the member opposite should not get carried away with his own overblown rhetoric.

He knows very well that the Minister of International Trade was in China in January and very strongly addressed the ADS situation. He also knows that we have a tourism convention program which deals with the GST issue. That has been in place for nearly a year and the industry likes it very much. It is working very well.

* * *

[Translation]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, like the Bloc Québécois, the Premier of Quebec has reaffirmed that the Conservative plan is insufficient, saying and I quote, "more needs to be done, including in regard to taxation and research and development".

Yesterday in the House we adopted a report of the Standing Committee on Finance that also calls for tax measures to be implemented as quickly as possible for the manufacturing sector, including the refundable tax credit for research and development.

What is the government waiting for to comply with the express will of the House and immediately implement these measures, using the \$10.6 billion surplus expected for the current fiscal year? Immediate action is needed.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, quite to the contrary, we took immediate action when my colleague, the Minister of Finance, tabled the 2006 budget and said he would correct the fiscal imbalance. That means an additional \$400 million this year, and more than \$600 million, \$700 million, \$1.1 billion for Quebec under the equalization formula. To that should be added the funding we passed yesterday in the House to help our communities. We are delivering the goods and they are delivering nothing.

• (1500)

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the reality is that the economic slowdown in the United States is getting worse, which means that there will be more difficulties ahead for the economy as a whole and especially the manufacturing sector. After Jean Charest and the CSN, now the FTQ is calling on the federal government to invest more without delay.

Does the government not understand that it must assume its responsibilities and immediately provide more assistance for the manufacturing sector out of the current year's surplus? We are no longer in 2006; it is 2008 now. A recession is looming if the government fails to act.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I think the Bloc Québécois must have a screw loose.

When we passed the mini-budget, we provided nearly \$12 billion in tax cuts of all kinds in anticipation of an economic slowdown. The government acted, the Minister of Finance acted: \$12 billion in cuts to the GST, \$12 billion in cuts to personal and corporate income taxes. That is action. The Bloc, unfortunately, just stands there empty handed. Nothing for Quebec.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, the Conservatives' plan to help industry is not designed to provide direct assistance to those who lost their jobs. The Conservatives do not believe in government assistance to industry, as proposed in the Liberal plan announced in November 2005. Instead, the Conservative government wants to redirect affected communities toward different industries. It is all fine and well to retrain workers, but how are they expected to find a job if the main industry in their community is gone?

Will the Prime Minister announce once and for all funding not only to retrain workers but also to create jobs, as part as a plan that takes into consideration the needs of the regions?

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, any time there are job losses in a community, it is very difficult for the individuals involved and obviously for the communities. That is why we have stepped up with the community development trust, which has won the support of the House.

We have put in place new labour training arrangements with the provinces with \$3 billion over the next six years. That is \$800 million more a year for training through community colleges and universities.

We are investing more in training today than any government in history precisely because we know that workers have the potential to contribute in this country. The member should have that same faith in those workers.

Oral Questions

CANADIAN WHEAT BOARD

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, last Friday a staff member left the Canadian Wheat Board as a result of a vote by the Wheat Board directors.

Yet, on Monday the Leader of the Opposition and the ultimate conspiracy theorists in the NDP made outrageous accusations against the government and misled the House.

Unbelievably, they refuse to recognize that 62% of western farmers voted for marketing choice. Now they will not recognize that the Wheat Board directors have the right to vote on their own staffing issues.

Will the Minister of Agriculture and Agri-Food please correct the record in response to the opposition's baseless accusations?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Finally, a question grounded in reality, Mr. Speaker.

The opposition has certainly been publicly exposed as being wilfully negligent on this issue. Canadians would be far better served if it used its meagre resources and its meagre intelligence to get our crime bill through the Senate.

* * *

ETHICS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, former justice minister Alan Rock said that if he knew then what we know now, he would never have paid Brian Mulroney the \$2.1 million settlement in the defamation lawsuit.

He was duped, he was bamboozled, he was outfoxed, and he rolled over way too early. Now we want our money back.

What concrete steps is the government taking to recoup the \$2.1 million defamation lawsuit settlement that it paid out to Brian Mulroney that it never should have paid?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, as everyone in the House knows, the government asked Professor Johnston to look into the matter and provide terms of reference for an inquiry, and look specifically into the matter that has been raised by the hon. member for Winnipeg Centre.

If there is further evidence that is before the ethics committee, Professor Johnston has indicated he will look at that evidence and, in doing his ultimate terms of reference for an inquiry, he will take those into account I am sure.

* * *

• (1505)

LOBBYISTS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, it was the culture of secrecy that allowed corruption to flourish during the Liberal years and it is worse than ever on this second anniversary of the Conservative cabinet.

Government Orders

There is still no access to information reform. There is still no public appointments commission. There is no parliamentary budget officer.

Corporate lobbyists are running amok all over Parliament Hill in a revolving door between the Conservative Party and the big lobbying firms. Now \$120,000 to write a lousy speech.

Nothing has changed since Brian Mulroney's days. The boys still need to make a living.

How much longer do the Conservatives intend to perpetrate and maintain—

The Speaker: The hon. President of the Treasury Board.

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, in response to the abuses of the lobbying situation under the Liberals, this government took some of the strongest action of any government in the world.

The new lobbying rules will ensure that Canadians know who is lobbying, when and on what issues. They will also put an end to the revolving door between minister's offices and lobbying firms.

We are very proud of the steps that we have taken and we appreciate the support that the member gave us in putting that forward.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Honourable Serik Akhmetov, Minister of Transport and Communications for the Republic of Kazakhstan.

Some hon. members: Hear, hear!

The Speaker: I would also like to draw to the attention of hon. members the presence in the gallery of the Honourable Barry Penner, Minister of Environment for British Columbia.

Some hon. members: Hear, hear!

The Speaker: As part of marking the celebration of the two year countdown to our 2010 Olympic and Paralympic Winter Games, I would like to draw to the attention of hon. members the presence in the gallery of three athletes: hockey gold medallist Jayna Hefford, free style skier Jeff Bean, and sledge hockey paralympian Ray Grassi.

Some hon. members: Hear, hear!

GOVERNMENT ORDERS

[English]

IMMIGRATION AND REFUGEE PROTECTION ACT

The House resumed from February 5 consideration of the motion that Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a

consequential amendment to another Act, be read the third time and passed, and of the motion that this question be now put.

The Speaker: It being 3:07 p.m. the House will now proceed to the taking of the deferred recorded division on the previous question at the third reading stage of Bill C-3.

Call in the members.

● (1515)

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 37)

YEAS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Bagnell	Bains
Baird	Barnes
Batters	Bélangier
Bell (North Vancouver)	Bennett
Benoit	Bernier
Bevilacqua	Bezan
Blackburn	Blaney
Bonin	Boshcoff
Boucher	Breitkreuz
Brison	Brown (Leeds—Grenville)
Brown (Barrie)	Bruinooge
Byrne	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casson
Chamberlain	Chan
Chong	Clement
Coderre	Comuzzi
Cotler	Cullen (Etobicoke North)
Cummins	Cuzner
D'Amours	Day
Del Mastro	Devolin
Dhaliwal	Dion
Dosanjh	Doyle
Dryden	Dykstra
Easter	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Fry
Galipeau	Gallant
Godfrey	Goodale
Goodyear	Gourde
Grewal	Guarnieri
Guergis	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Holland
Hubbard	Ignatieff
Jaffer	Jean
Jennings	Kadis
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Keeper
Kenney (Calgary Southeast)	Khan
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauson
Lebel	LeBlanc
Lemieux	Lukiwski
Lunn	Lunney
MacAulay	MacKenzie
Malhi	Maloney
Mark	Marleau
Martin (Esquimalt—Juan de Fuca)	Matthews
Mayer	McCallum
McGuinty	McGuire
McKay (Scarborough—Guildwood)	McTeague

Government Orders

Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Neville	Nicholson
Norlock	O'Connor
Obhrai	Oda
Pacetti	Pallister
Paradis	Patry
Petit	Poilievre
Prentice	Preston
Proulx	Rajotte
Ratansi	Redman
Regan	Reid
Richardson	Ritz
Rota	Russell
Savage	Scheer
Schellenberger	Scott
Sgro	Shipley
Simard	Simms
Skelton	Smith
Solberg	Sorenson
St. Amand	St. Denis
Steckle	Storseth
Strahl	Sweet
Szabo	Temelkovski
Thibault (West Nova)	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Tilson
Toews	Tonks
Trost	Turner
Tweed	Valley
Van Kesteren	Van Loan
Vellacott	Verner
Volpe	Wallace
Wappel	Warawa
Warkentin	Watson
Wilfert	Williams
Yelich	Zed- — 196

NAYS

Members

André	Angus
Asselin	Atamanenko
Bachand	Barbot
Bell (Vancouver Island North)	Bevington
Bigras	Blaikie
Blais	Bonsant
Bouchard	Bourgeois
Brunelle	Cardin
Carrier	Charlton
Chow	Christopherson
Comartin	Crête
Crowder	Cullen (Skeena—Bulkley Valley)
Davies	DeBellefeuille
Demers	Deschamps
Dewar	Duceppe
Faïlle	Freeman
Gagnon	Gaudet
Godin	Gravel
Guay	Guimond
Julian	Kotto
Laforest	Laframboise
Lavallée	Layton
Lemay	Lessard
Lévesque	Lussier
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	McDonough
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Mulcair	Nadeau
Ouellet	Perron
Picard	Priddy
Savoie	Siksay
St-Cyr	St-Hilaire
Stoffer	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Vincent	
Wilson- — 71	

PAIRED

Members

Bellavance	Davidson
Goldring	MacKay (Central Nova)
Malo	Manning
Mourani	Plamondon
Roy	Stanton- — 10

The Speaker: I declare the motion carried.

[*English*]

Mr. Blair Wilson: Mr. Speaker, I just want to make sure my vote was cast in favour.

The Speaker: No. I think the hon. member stood and his vote was recorded as no.

Is there consent to change the member's vote to yes?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Agreed.

Some hon. members: No.

Hon. Jay Hill: Mr. Speaker, were you to seek it I think you would find unanimous consent to apply the results of the vote just taken to the motion presently before the House, with Conservative members present voting in favour.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Hon. Karen Redman: Mr. Speaker, Liberals who voted on the previous question will be voting in favour of this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, my colleagues from the Bloc Québécois will be voting against this motion.

Mr. Yvon Godin: Mr. Speaker, members of the NDP will be voting against the motion.

[*English*]

Mr. Blair Wilson: Mr. Speaker, I will be voting in favour.

[*Translation*]

Ms. Louise Thibault: Mr. Speaker, I vote against the motion.

[*English*]

Hon. Andrew Telegdi: I will be voting against, Mr. Speaker.

● (1520)

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 38*)

YEAS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose

Government Orders

Anders	Anderson	Thibault (West Nova)	Thompson (New Brunswick Southwest)
Bagnell	Bains	Thompson (Wild Rose)	Tilson
Baird	Barnes	Toews	Tonks
Batters	Bélangier	Trost	Turner
Bell (North Vancouver)	Bennett	Tweed	Valley
Benoit	Bernier	Van Kesteren	Van Loan
Bevilacqua	Bezan	Vellacott	Verner
Blackburn	Blaney	Volpe	Wallace
Bonin	Boshcoff	Wappel	Warawa
Boucher	Breitreuz	Warkentin	Watson
Brisson	Brown (Leeds—Grenville)	Wilfert	Williams
Brown (Barrie)	Bruinoooge	Wilson	Yelich
Byrne	Calkins	Zed- — 197	
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)		
Carrie	Casson		
Chamberlain	Chan		
Chong	Clement		
Coderre	Comuzzi		
Cotler	Cullen (Etobicoke North)		
Cummins	Cuzner	André	Angus
D'Amours	Day	Asselin	Atamanenko
Del Mastro	Devolin	Bachand	Barbot
Dhaliwal	Dion	Bell (Vancouver Island North)	Bevington
Dosanjh	Doyle	Bigras	Blaikie
Dryden	Dykstra	Blais	Bonsant
Easter	Emerson	Bouchard	Bourgeois
Epp	Eyking	Brunelle	Cardin
Fast	Finley	Carrier	Charlton
Fitzpatrick	Flaherty	Chow	Christopherson
Fletcher	Fry	Comartin	Crête
Galipeau	Gallant	Crowder	Cullen (Skeena—Bulkley Valley)
Godfrey	Goodale	Davies	DeBellefeuille
Goodyear	Gourde	Demers	Deschamps
Grewal	Guarnieri	Dewar	Duceppe
Guergis	Hanger	Faille	Freeman
Harris	Harvey	Gagnon	Gaudet
Hawn	Hearn	Godin	Gravel
Hiebert	Hill	Guay	Guimond
Hinton	Holland	Julian	Kotto
Hubbard	Ignatieff	Laforest	Laframboise
Jaffer	Jean	Lavallée	Layton
Jennings	Kadis	Lemay	Lessard
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell	Lévesque	Lussier
Keddy (South Shore—St. Margaret's)	Keeper	Marston	Martin (Winnipeg Centre)
Kenney (Calgary Southeast)	Khan	Martin (Sault Ste. Marie)	Masse
Komarnicki	Kramp (Prince Edward—Hastings)	Mathysen	McDonough
Lake	Lauzon	Ménard (Hochelega)	Ménard (Marc-Aurèle-Fortin)
Lebel	LeBlanc	Mulcair	Nadeau
Lemieux	Lukiwski	Ouellet	Perron
Lunn	Lunney	Picard	Priddy
MacAulay	MacKenzie	Savoie	Siksay
Malhi	Maloney	St-Cyr	St-Hilaire
Mark	Marleau	Stoffer	Telegdi
Martin (Esquimalt—Juan de Fuca)	Matthews	Thi Lac	Thibault (Rimouski-Neigette—Témiscouata—Les
Mayer	McCallum	Basques)	
McGuinty	McGuire	Vincent- — 71	
McKay (Scarborough—Guildwood)	McTeague		
Menzies	Merrifield		
Miller	Mills		
Moore (Port Moody—Westwood—Port Coquitlam)			
Moore (Fundy Royal)			
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)		
Neville	Nicholson	Bellavance	Davidson
Norlock	O'Connor	Goldring	MacKay (Central Nova)
Obhrai	Oda	Malo	Manning
Pacetti	Pallister	Mourani	Plamondon
Paradis	Patry	Roy	Stanton- — 10
Petit	Poilievre		
Prentice	Preston		
Proulx	Rajotte		
Ratansi	Redman		
Regan	Reid		
Richardson	Ritz		
Rota	Russell		
Savage	Scheer		
Schellenberger	Scott		
Sgro	Shipley		
Simard	Simms		
Skelton	Smith		
Solberg	Sorenson		
St. Amand	St. Denis		
Steckle	Storseth		
Strahl	Sweet		
Szabo	Temelkovski		

NAYS

Members

Angus
Atamanenko
Barbot
Bevington
Blaikie
Bonsant
Bourgeois
Cardin
Charlton
Christopherson
Crête
Cullen (Skeena—Bulkley Valley)
DeBellefeuille
Deschamps
Duceppe
Freeman
Gaudet
Gravel
Guimond
Kotto
Laframboise
Layton
Lessard
Lussier
Martin (Winnipeg Centre)
Masse
McDonough
Ménard (Marc-Aurèle-Fortin)
Nadeau
Perron
Priddy
Siksay
St-Hilaire
Telegdi
Thibault (Rimouski-Neigette—Témiscouata—Les

PAIRED

Members

Davidson
MacKay (Central Nova)
Manning
Plamondon
Stanton- — 10

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

[*English*]

Hon. Jay Hill: Mr. Speaker, I rise on a point of order. There has been consultation among all parties and I believe you would find unanimous consent that the deferred recorded division on private members' Motion No. 411, currently scheduled for 5:30 later today, be instead taken now.

The Speaker: Is that agreed?

Some hon. members: Agreed.

PRIVATE MEMBERS' BUSINESS

[English]

DEATH PENALTY

The House resumed from January 31 consideration of the motion.

The Speaker: The House will now proceed to the taking of the deferred recorded division on Motion No. 411 under private members' business.

• (1525)

[Before the Clerk announced the results of the vote:]

The Speaker: Order, please. Before the Clerk announces the results, I wish to remind hon. members of the invitation to meet the Watoto Children's Choir from Uganda, in Room 216, after the vote.

[Translation]

They will be there to greet the hon. members.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 39)

YEAS

Members

Alghabra	André
Angus	Asselin
Atamanenko	Bachand
Bagnell	Bains
Barbot	Barnes
Bélangier	Bell (Vancouver Island North)
Bell (North Vancouver)	Bennett
Bevilacqua	Bevington
Bigras	Blaikie
Blais	Bonin
Bonsant	Boshcoff
Bouchard	Bourgeois
Brison	Brunelle
Byrne	Cardin
Carrier	Chamberlain
Chan	Charlton
Chow	Christopherson
Coderre	Comartin
Cotler	Crête
Crowder	Cullen (Skeena—Bulkley Valley)
Cullen (Etobicoke North)	Cuzner
D'Amours	Davies
DeBellefeuille	Demers
Deschamps	Dewar
Dhaliwal	Dosanjh
Dryden	Easter
Eyking	Faillie
Freeman	Fry
Gagnon	Gaudet
Godfrey	Godin
Goodale	Gravel
Guarnieri	Guay
Guimond	Holland
Hubbard	Ignatieff
Jennings	Julian
Kadis	Karetak-Lindell
Keeper	Kotto
Laforest	Laframboise
Lavallée	Layton
LeBlanc	Lemay
Lessard	Lévesque
Lussier	MacAulay
Malhi	Maloney
Marleau	Marston
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	Mathews
McCallum	McDonough

McGuinty	McGuire
McKay (Scarborough—Guildwood)	McTeague
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Mulcair	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Neville	Ouellet
Pacetti	Patry
Perron	Picard
Priddy	Proulx
Ratansi	Redman
Regan	Rota
Russell	Savage
Savoie	Scott
Sgro	Siksay
Simard	Simms
St-Cyr	St-Hilaire
St. Amand	St. Denis
Steckle	Stoffer
Szabo	Telegdi
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	Thibault (West Nova)
Thibault (West Nova)	Turner
Tonks	Vincent
Valley	Wilfert
Wappel	Wrzesnewskyj
Wilson	
Zed- — 147	

Private Members' Business

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Baird	Batters
Benoit	Bernier
Bezan	Blackburn
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casson
Clement	Comuzzi
Cummins	Day
Del Mastro	Devolin
Doyle	Dykstra
Emerson	Epp
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Gallant	Goodyear
Gourde	Grewal
Guergis	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Khan	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lemieux
Lukiwski	Lunn
Lunney	MacKenzie
Mark	Mayes
Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	Obhrai
Oda	Pallister
Paradis	Petit
Poillievre	Prentice
Preston	Rajotte
Reid	Richardson
Ritz	Scheer
Schellenberger	Shipley
Skelton	Smith
Solberg	Sorenson
Storseth	Strahl
Sweet	Thompson (New Brunswick Southwest)

Routine Proceedings

Thompson (Wild Rose)	Tilson
Toews	Trost
Tweed	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Watson	Williams
Yelich— 117	

PAIRED

Members

Bellavance	Davidson
Goldring	MacKay (Central Nova)
Malo	Manning
Mourani	Plamondon
Roy	Stanton— 10

The Speaker: I declare the motion carried.

ROUTINE PROCEEDINGS

• (1530)

[*Translation*]

INTERPARLIAMENTARY DELEGATIONS

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation at the 30th European Parliament — Canada Inter-parliamentary Meeting, held in Brussels, Belgium, from November 20 to 22, 2007.

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canadian branch of the Assemblée parlementaire de la Francophonie respecting its participation in the mission of the Americas Region of the APF, held in Port-au-Prince, Haiti, November 6 and 7, 2007.

[*English*]

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am honoured today to table two reports from the NATO parliamentarians.

Pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report of the delegation of the Canadian NATO Parliamentary Association respecting its participation in the annual session of the NATO Parliamentary Assembly, held in Reykjavik, Iceland, October 5 to 9, 2007.

Pursuant to Standing Order 34(1) I also have the honour to present, in both official languages, the report of the delegation of the Canadian NATO Parliamentary Association respecting its participation in the parliamentary transatlantic forum of the NATO Parliamentary Assembly, held in Washington, D.C., United States, December 10 to 11, 2007.

The Speaker: I wish to inform the House that because of the deferred recorded division, government orders will be extended by 15 minutes.

[*Translation*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I have the honour to present the 10th report of the Standing Committee on Procedure and House Affairs.

[*English*]

Pursuant to Standing Order 91.1(2) the subcommittee on private member's business met to consider the order for the second reading of a private member bill originating in the Senate, Bill S-215, An Act to protect heritage lighthouses, and recommends that the item listed herein, which has been determined should not be designated non-votable, be considered by the House.

The Speaker: Pursuant to Standing Order 91.1(2) the report is deemed adopted.

• (1535)

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

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

* * *

[*Translation*]

MATHIEU DA COSTA DAY ACT

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.) asked for leave to introduce Bill C-501, An Act to establish Mathieu Da Costa Day.

She said: Mr. Speaker, as a Canadian of African descent from Quebec, it is an honour for me to introduce this bill which would designate the first Monday in February in each and every year as Mathieu Da Costa Day.

[*English*]

An interpreter, Mathieu Da Costa is credited with being the first black man in Canada and was likely an important player in European exploration of the continent. Da Costa is believed to have worked alongside both Pierre du Gua de Monts, a leader in the establishment of French settlements in eastern Canada, and Samuel de Champlain, who selected the site for the settlement that later became Quebec City.

Given this is the 400th anniversary of the founding of Quebec City, it is my hope that my colleagues in the House will support my efforts at having Da Costa's contributions to our country's history recognized.

Routine Proceedings

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

* * *

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 66(2)(a) I would like to designate Thursday, February 7 for the purpose of concluding debate on the motion to concur in the first report of the Standing Committee on Fisheries and Oceans.

VETERANS AFFAIRS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, I believe you would find unanimous consent for the following motion on the Standing Committee on Veterans Affairs travel. I move:

That, notwithstanding the motion adopted on December 13, 2007, in relation to its study on veterans health care review and the veterans independence program, 10 members of the Standing Committee on Veterans Affairs be authorized to travel to Shearwater, Nova Scotia; Goose Bay, Newfoundland and Labrador; Cold Lake, Alberta; and Comox, B.C. from February 10 to 15, and that the necessary staff accompany the committee.

The Speaker: Does the hon. member for Niagara West—Glanbrook have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

JUSTICE

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I have a petition from a number of citizens and residents of Canada who have expressed shock with regard to the death of Mr. Robert Dziekanski on October 14, 2007 in Vancouver airport.

The petitioners demand answers from the House of Commons to the following questions. Is the standard procedure for RCMP, which has other restraining devices and bullet proof vests, to surround and attack citizens with a taser without obvious threat? Is it a standard procedure for RCMP to create misleading public announcements as to what happened? Is it standard procedure for RCMP personnel not to provide basic CPR to a helpless and dying victim? How are citizens of this nation, with emotional distress or panic attacks, currently protected from being tasered?

Furthermore, they believe Canadian citizens are in danger since it is clearly evident that enforcement agencies are using deadly taser devices as a convenience tool and are breaking the rules of law.

They believe we should not wait until inquiries and probes are completed with recommendations by various agencies, including the RCMP. They therefore petition the House of Commons to act now,

with an immediate moratorium on taser use by Canadian enforcement agencies.

• (1540)

SECURITY AND PROSPERITY PARTNERSHIP

Mrs. Irene Mathysen (London—Fanshawe, NDP): I have a second petition, Mr. Speaker, one in French and one in English. This is a call to suspend the security and prosperity partnership of North America on continental integration. They petition the Government of Canada as follows: Whereas the implementation of the security and prosperity partnership—

The Speaker: Order, please. The hon. member for London—Fanshawe knows she cannot read the petition. When she said “as follows” and begins reading, she has a problem. It is a brief summary she is to give of a petition and I invite her to do that.

Mrs. Irene Mathysen: Mr. Speaker, I will paraphrase. The petitioners call upon the Government of Canada to stop the implementation of the security and prosperity partnership of North America with the United States and Mexico. They believe there is no democratic mandate from the people of Canada. Nor has there been any parliamentary oversight. They consider there will be profound consequences on Canada's existence as a sovereign nation and its ability to adopt autonomous and sustainable economic, social and environmental policies.

CANADA POST CORPORATION ACT

Mr. Mervin Tweed (Brandon—Souris, CPC): Mr. Speaker, the petitions continue to come in, in support of Bill C-458, An Act to amend the Canada Post Corporation Act (library materials), which will protect and support the library book rate and extend it to include audiovisual materials.

VISITOR VISAS

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, I would like to present a petition on behalf of the hon. member for Ottawa West—Nepean. The petitioners bringing this forward note that Parliament should lift the visa requirements for the Republic of Poland.

RELIGIOUS FREEDOM

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Second, Mr. Speaker, I have a petition to present from constituents in my riding and across the country. The petitioners call upon Parliament to condemn the persecution of Coptic Christians in Egypt, who have been systematically persecuted in that country. Twelve million of these indigenous Christian people live in Egypt and are being persecuted by terrorists, extremists and even members of the government there.

The petitioners call on our government and this Parliament to take a principled stand in defending religious freedom and the ancient liberty that is owed to the Coptic Christians who live in Egypt.

S. O. 52

POST-SECONDARY EDUCATION

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, the first petition I wish to present to the House today concerns students who are facing incredible and soaring tuition fees and an average student debt of about \$25,000.

The petitioners are asking that the minister make certain that the review of Canada's student loan system address some of the key flaws in that program by creating a needs based grant system; by reducing the federal loan interest; by creating a federal ombudsman; by ensuring better relief payments that include things like expanding eligibility for permanent disability benefits; by creating enforceable standards on the conduct of government and private student loan collection agencies; and, by amending the lifetime limit on student loans.

SENIORS

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, I have another petition from many seniors who are facing lowered benefits because of an error made by Statistics Canada in its calculation of the consumer price index. This resulted in Canada's inflation numbers being underrated by half a percentage point. This mistake is being felt by everyone whose benefits are tied to the consumer price index, including the recipients of the Canada pension plan, old age security and the guaranteed income supplement.

The petitioners are asking the Parliament of Canada and the government to take full responsibility for this error and take the required steps to repay every Canadian who was short-changed.

ACETAMINOPHEN WARNING LABELS

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I have two petitions to present to the House today.

The first petition is on the subject of acetaminophen and contains about 142 signatures from across British Columbia and many from Quebec as well. The petitioners are calling on Parliament to take note that acetaminophen is the most common pharmaceutical involved in unintentional and intentional poisonings in all age groups in British Columbia. They note that both acute and chronic acetaminophen overdose can cause potentially fatal liver toxicity. The petitioners are calling for appropriate warning labels to reduce the incidence.

The petitioners are asking Parliament to require that warning labels for products containing acetaminophen indicate that acute and chronic overdose may lead to fatal liver toxicity.

● (1545)

NATURAL HEALTH PRODUCTS

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, the second petition is from more than 380 people about natural health products. The petitioners note that Canadians support the use of natural health products to promote health and wellness. They note that improved access to natural health products will help Canadians to better manage their own health and relieve pressure on the Canadian health care system.

The petitioners are calling on Parliament to provide Canadians with greater access to natural health products by removing the GST

from them and enacting Bill C-404, An Act to amend the Excise Tax Act (natural health products).

DARFUR

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, I have the pleasure to present two quite lengthy petitions today. The first petition is from individuals in and around the Edmonton and northern Alberta area and contains about 100 or more signatures. The petitioners are asking that Parliament appoint a special envoy to focus on Darfur and to play a working role with other countries to unify rebels, as well as provide expert help, financial resources, and equipment to the United Nations African Union Mission in Darfur.

JUSTICE

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, the second petition is another lengthy petition signed by over 1,000 people from western Canada and northern Canada as well. This petition is on behalf of Dylan Cole McGillis, an unsuspecting victim of an unprovoked violent and fatal attack, and on behalf of thousands of other Canadian citizens who are victims of violent crimes.

The petitioners are calling on the House of Commons to introduce legislation whereby violent offenders would be subject to mandatory minimum sentences regardless of age.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE

ABORIGINAL AFFAIRS

The Speaker: The Chair has received an application for an emergency debate from the hon. member for Nanaimo—Cowichan. I will hear her now.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, an emergency debate is required because of a decision by the federal government to cut the funding for the First Nations Technical Institute by two-thirds, which could potentially result in the closure of the FNTI by the end of this semester, roughly sometime in April.

Without an immediate commitment from the federal government to fund the school next year, layoff notices will have to be sent to staff and faculty at the school. Everyone agrees that the work of the institute is very credible. The only question is over jurisdiction. While governments argue about who is responsible, however, the institute and the lives of hundreds of students will be irremediably damaged.

FNTI is in the Tyendinaga first nations reserve near Kingston, Ontario. The Ontario government insists that on reserve education is the responsibility of the federal government. The federal government says that post-secondary institutions are a provincial responsibility. There is no legislation that protects the standing of the school or defines what level of government is responsible for its support.

As Carol Goar reported this morning in the *Toronto Star*, there are many students who have invested money and time in their education at FNTI. They will be left with student loan debts next year, but will have only half the courses they need to graduate.

All recent policy discussions around aboriginal affairs have emphasized the need to support and enhance education opportunities for aboriginal students. We cannot let an indigenous controlled institution that has a 90% employment rate for graduates disappear. This House needs to debate why the Conservatives are letting this chance to improve educational attainment for aboriginal students slip away.

Thank you, Mr. Speaker, for considering my request.

The Speaker: The Chair has considered the request the hon. member sent by letter earlier this day and I have heard her arguments this afternoon. I do not believe that this request for an emergency debate meets the exigencies of the standing order at this time. Accordingly, I will decline this request at this time.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC) moved:

That a message be sent to the Senate to acquaint their Honours that this House: agrees with amendments numbered 2, 4, 5 and 6 made by the Senate to Bill C-13, An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments); but

disagrees with amendment numbered 1 because it would place an undue burden on judges and does not take into consideration provincial and territorial practices that are currently in place to ensure that accused persons are informed of their language rights; and

disagrees with amendment numbered 3 because the Minister of Justice would be unable to comply with the statutory duty imposed by the amendment as provinces and territories do not keep statistics to report on the operation of the language of trial provisions;

• (1550)

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am pleased to rise today to speak to the debate on the amendments made in the Senate to Bill C-13, An Act to amend the Criminal Code

Government Orders

(criminal procedure, language of the accused, sentencing and other amendments).

Bill C-13 was passed by the Senate on January 29 with six amendments. I will speak to each of them.

Four amendments to the language of trial provisions were made, including the creation of two new provisions. An additional amendment makes changes to the coming into force provision of Bill C-13, while the sixth amendment coordinates changes proposed to the same Criminal Code provision in both Bill C-13 and Bill C-2, the tackling violent crime act.

Before turning to each amendment, I wish to underline the fact that, with respect to the language of trial amendments, both the Commissioner of Official Languages and the Fédération des associations de juristes d'expression française de common law, a national federation representing the provincial associations of francophone jurists, are satisfied with the proposals found in Bill C-13 as passed by the House of Commons. The proposals in this regard were carefully studied by both the House of Commons Standing Committee on Justice and Human Rights and by the Senate Standing Committee on Legal and Constitutional Affairs.

I will now turn to each amendment.

The first amendment proposed by the Senate is with respect to clause 18, a clause meant to ensure that all accused persons in this country are aware of their fundamental language rights. As members know, the current Criminal Code provision grants only unrepresented accused the right to be advised of their language rights by the judge.

As passed by the House of Commons, clause 18 proposed to extend this right to all accused, whether represented by counsel or not. In other words, clause 18 would broaden the right to be advised so that it would benefit all accused persons. This would heed the judgment of the Supreme Court of Canada in the Beaulac case of 1999 as well as respond to a recommendation made by the Commissioner of Official Languages.

This being said, clause 18 as introduced did not impose a duty on the judge to personally inform each accused of his or her language rights. Rather, the clause stated that the judge "shall ensure that they are advised".

The amendment proposed to clause 18 by the Senate would now require the presiding judge, at the accused's first appearance, to personally inform each and every accused of their language rights. We do not agree with this amendment.

During the consultation on the proposals that led to Bill C-13, provinces and court administrators clearly told the government that a requirement for the judge to personally inform all accused, including accused persons with legal representation, would create a significant burden on judges and courts as well as considerably increase delays in criminal proceedings.

Obviously, further delays in criminal proceedings is something that all of us in this House should work against.

Government Orders

As many provinces developed efficient ways of ensuring that accused persons are made aware of their language rights, the government drafted Bill C-13 with a specific view to recognizing different provincial and territorial practices in this area.

Let us be clear. The duty continues to rest upon the judge. He or she must ensure that the accused is advised. The use of the words "shall ensure" does not, as some have suggested, dilute in any way the right that is granted.

In fact, it is an expression that is often used in federal legislation, for instance, in the Official Languages Act. For example, section 22 of that act states that:

Every federal institution has the duty to ensure that any member of the public can communicate with and obtain available services from its head or central office in either official language...

Section 16 states that federal courts have the duty to ensure that judges can understand the proceedings in either English or French, without the use of an interpreter.

To use the wording of the Supreme Court of Canada, the right granted will continue to be "a substantive right and not a procedural one that can be interfered with".

By ensuring that all accused, whether represented or not, are advised of their language rights, clause 18, as introduced and as passed by this House, not only avoided the possibility of accused persons exercising their language rights outside of the prescribed timeframe, but, more importantly, ensured that positive measures are taken to improve the means by which all Canadians can avail themselves of their language rights.

For all of these reasons, we disagree with this amendment, this being the first amendment.

• (1555)

The second amendment proposed in the Senate was made to clause 19, dealing with the translation of charging documents. Clause 19 of Bill C-13 grants all the accused the right to ask for a translation of the information or indictment. An amendment to the English version of clause 19 was made by the Senate, as it was felt that the wording needed to be changed to clarify that the entire charging document is to be translated.

I must say that this was the intent of the initial provision and as such, we do not think that the amendment is absolutely necessary. This being said, we do not object to the amendment, as it has simply clarified what was the original intent.

The third amendment adopted by the Senate is the creation of new clause 21.1. This clause calls on the Minister of Justice to prepare and table an annual report in Parliament on the number of bilingual trials, the number of trials held in French outside of the province of Quebec and the province of New Brunswick, and the number of trials held in English in Quebec.

I appreciate that statistics of this kind may be useful in assessing the implementation of the language rights provisions of the Criminal Code. Detailed statistics often provide indicators that are essential for an overall appreciation of the impact made by legislation. Indeed the department has explored with its provincial and territorial

counterparts ways in which this could be accomplished and will continue to do so in the future.

I am sure that hon. members will agree that it is not good public policy to enact a provision that imposes responsibilities on those that do not have the means to fulfill them. Practically speaking, the amendment also fails to take into account the fact that in some jurisdictions, minority language trials will take place without any formal orders issued, pursuant to section 530 of the Criminal Code. These cases are thus difficult to track and call into question the accuracy of the data that would be collected.

However, the problem with this amendment is that it imposes a statutory duty on the federal Minister of Justice, whereas in fact it is only provincial and/or territorial attorneys general who have the ability to actually collect this information. In addition, provinces and territories have told us that they do not keep statistics related to the language of trial provisions in the Criminal Code.

As I already stated, we would be asking for, and enforcing in criminal law, provisions that the provinces are not at this time equipped to fulfill.

For all these reasons, we do not support this amendment, not because we disagree with the principle or the idea that statistics of this kind would be useful, but mainly because it imposes upon the federal Minister of Justice an obligation to provide information the minister does not possess or control.

Other informal avenues to collect such data will continue to be explored. However, we cannot support the inclusion of a legislative requirement in the Criminal Code to report on information that is not under the responsibility of the federal Minister of Justice.

The fourth amendment creates new clause 21.2. This clause requires a comprehensive review of the Criminal Code's language of trial provisions be undertaken by a parliamentary committee. I understand that the Senate committee considered it necessary to create this provision in order to ensure that monitoring the implementation of the new provisions, as well as of part XVII of the Criminal Code as a whole, will occur within three years of the coming into force of this provision.

Although we do not disagree with this amendment, we do not believe that this new section is actually needed in order for Parliament to review the provisions and operation of the language of trial provisions of the Criminal Code.

Section 88 of the Official Languages Act specifically provides for the creation of a committee of the House, of the Senate, or both, to review the administration of the act. Two such committees currently exist and have the authority to study the language of trial provisions of the Criminal Code.

The fifth amendment adopted by the Senate makes corresponding changes to the coming into force provision at clause 46. It provides that new clauses 21.1 and 21.2 will come into force in the same manner as other language of trial provisions. While I disagree with the creation of new clause 21.1, we support the amendment to the coming into force provision as it does not directly refer to clause 21.1.

Government Orders

● (1600)

Finally, a sixth amendment was made to create new clause 45.2 for the purpose of coordinating two sets of amendments in Bill C-2, the tackling violent crime act, and Bill C-13, both of which propose changes to the same Criminal Code provision dealing with impaired driving. This amendment is required and should be supported.

I would like to urge all hon. members to support amendments numbered 2, 4, 5 and 6, but not to support amendments numbered 1 and 3.

I hope that both Houses can come to an expeditious agreement on this very important piece of legislation that aims to improve many other aspects of the criminal justice system.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, the hon. parliamentary secretary and I would both know that former Bill C-23 was part of the Conservative justice agenda, along with all of the other bills, the five bills that are now part of Bill C-2.

My first question is, why was Bill C-23—we are discussing Bill C-13, the same bill—plucked from that raft of bills?

This bill deals with, for instance, taking away equipment and material from people who lure children through the Internet, the crime of Internet luring. It increases summary conviction fines from \$2,000 to \$10,000. It was agreed upon by all parties. Why are we sitting here in February, probably just before an election, why did we have to wait? Why was this bill, which also deals with language rights in his own province of New Brunswick, a bilingual province, why was it given such short shrift? Why was it put to the bottom of the order paper with respect to justice bills?

Finally, he said that his minister had consulted with provincial and territorial governments and it would be too onerous for them to require judges to instruct both represented and non-represented accused of their right to trial in the language of their choice. What evidence does he have of that? Could he be more specific? We would certainly like to know.

Those are the two short questions I have for the parliamentary secretary.

Mr. Rob Moore: Mr. Speaker, I thank the hon. member for Moncton—Riverview—Dieppe for his question and also for his work on the justice committee.

Quite simply, the tackling violent crime act that the member raised does just what it says. It tackles violent crime. I will touch on the five previous bills that now make up the tackling violent crime act, which is stalled in the Liberal dominated Senate.

We know that the Minister of Justice is appearing now in the Senate. He is calling on the senators. We have been calling on the senators. We have been calling on the Liberal Leader of the Opposition to talk to his Liberal senators and urge them to pass, or at least begin to deal with, what the House has passed.

The tackling violent crime act deals with impaired driving. This is certainly supported by MADD Canada and police organizations. It deals with raising the age of protection. For too long the age of protection in Canada has been embarrassingly low, allowing

individuals to come from other countries to exploit 14 and 15 year old Canadians. The tackling violent crime act raises the age of protection.

It also cracks down on dangerous offenders. It makes it possible to ensure that individuals who are truly dangerous offenders are locked up rather than out on the street. It also provides for tougher sentencing and tougher bail provisions for those who would use a firearm in the commission of an offence.

I have to add that it is not good enough to only talk about crime issues and getting tougher on crime during an election. I will remind members that during the last election the Liberal Party, the NDP and the Conservative Party all called for raising the mandatory sentence for those who commit an offence with a firearm. Yet when the Conservative government introduces legislation that does just that, it is delayed and opposed by those other two parties.

I have answered the member's question. The tackling violent crime act deals with those very important provisions that would protect people from violent crime.

The member mentioned consultations. Extensive consultations went into Bill C-23 that deals with language rights and criminal procedures. There were extensive consultations with stakeholders and the provinces, which are tasked with implementing and enforcing criminal law in their respective provinces. Those attorneys general gave us feedback on the bill. In fact, as I mentioned, they are opposed to one of the amendments that came back from the Senate that would require the judge to personally inform the accused of his or her official language rights.

● (1605)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I am having some difficulty with the government's position. It has repeatedly, I think as recently as this afternoon in question period, stood in the House and attacked the other place for delaying bills. Certainly, a strong argument could be made that that is exactly what is happening here with the old Bill C-23, now Bill C-13, where the Senate has amended this bill in its chamber and sent it back.

I am wondering if the parliamentary secretary does not see some contradiction in the government's position of accepting some of these amendments now and, at the same time, literally at times screaming at the other house for delay, which is the effect this has.

There are some provisions in this bill that the NDP would have liked to have seen, quite frankly, 20 years ago in terms of some of the amendments. This is a bill that is based on a number of different sections in the code. A number of them would make the enforcement of our laws, the conduct of police as well as our judiciary in our criminal justice system much more efficient. We now are seeing months and months of delay of this law coming into effect because of the amendments that have been sent back to us by the other house.

I am wondering if the parliamentary secretary could comment on the apparent contradiction and also whether he is not exposing this House to seeing the Senate make amendments to Bill C-2, send it back and cause delay on that bill.

Mr. Rob Moore: Mr. Speaker, certainly some of these provisions have been a long time in coming, decades in fact. We need to update and streamline our Criminal Code procedures.

Government Orders

We heard testimony on the old Bill C-23 and now Bill C-13 as to the impact that these changes would have and that they would be a positive impact on our criminal justice system to ensure timely access to the system for all. I believe that is a goal all of us share to ensure an efficient and effective criminal justice system.

The hon. member mentioned the Senate amendments. Yes, the Senate has dealt with this bill and has put forward six amendments. We are opposing two of those amendments as a government and supporting four of them. The hon. member is quite correct. My take certainly and the take of our party is that the Senate has been delaying Bill C-2, the tackling violent crime act.

In my response to the member for Moncton—Riverview—Dieppe, I spoke a bit about what the act would do. I do not know how any member in this House could be opposed to what the tackling violent crime act does. In fact, it has passed this House.

It is necessary legislation to ensure the safety of our communities, the safety of our children, to get impaired drivers off the streets, to ensure that those who commit serious crimes with firearms are behind bars, to ensure that dangerous offenders are in jail rather than out roaming the streets preying on innocent Canadians.

We have handed this legislation off to the Senate. The Senate has not even begun to deal with it until today when the Minister of Justice will be appearing. There is no doubt in my mind there has been tremendous delay. We are urging the Senate to get on with it. We call on the leader of the official opposition to insist that Liberal senators pass the tackling violent crime act.

• (1610)

[*Translation*]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I am pleased to have the opportunity to speak briefly to Bill C-13. This bill is similar to Bill C-23, which was debated in the House.

I may be a rookie here but I remember Bill C-23 very well. We were in favour of the bill but the government decided to dissolve Parliament. So here we are, debating the same bill all over again, except that the number has changed.

[*English*]

The context is fairly important as we start, Bill C-13 is really Bill C-23. It contains so many important new aspects to make our criminal justice system work more equitably and to modernize it. It is why I was proud as a member of the Liberal justice team and as a member of the Liberal justice committee team to approve it and to send it on for eventual approval and royal assent.

Alas, the Prime Minister and his team decided that they were afraid of the environment. Their new Minister of the Environment had failed so miserably to act on the environment that they had to scuttle the whole Parliament because they were afraid of a couple of bills that might change things. In that mess, in that melee unfortunately, this good justice bill was killed and had to be reintroduced again.

One might ask, what difference does it make? It makes a difference to people who care about the criminal justice system. It may not mean a lot to people, but one of the biggest things we could

have done in the last two years that I have been here would have been to modernize and make more effectual our criminal justice system, to move the maximum fine to be imposed for any summary conviction offence from \$2,000 to \$10,000.

A \$2,000 fine is within the means of many people, but a \$10,000 fine for a serious summary conviction offence, that does not warrant jail time, is a serious fine and might very well have a deterrent effect on those type of crimes for which a fine is appropriate.

There were many other amendments, which could be in effect and the law in the country now, that were just simply thrown away.

Language rights are very important in my province of New Brunswick which is officially a bilingual province. I represent the city of Moncton, which is an officially bilingual city. This is bread and butter for New Brunswick politicians. It is disturbing to me that the parliamentary secretary, when asked why Bill C-23, which contained many provisions to improve the delivery of justice services in both official languages was not given the priority of other bills, turned his answer to Bill C-2 and the tackling violent crime bill.

I asked why Bill C-23, which everybody agreed upon, was given second shrift to Bill C-2 and of course why was Bill C-2 killed?

This love child of the Conservative justice agenda, why was it killed by the Prime Minister? Was he so afraid of other bills which showed the incompetency of his own ministers?

It seems shocking to me. It included: Bill C-10, involving mandatory minimums which was a bill improved upon at committee and which had passed the House; Bill C-22, which modernized issues surrounding the age of consent and the age of protection, and provided for the first time a close in age exemption which made the bill very palatable in protecting young people; Bill C-32, for which Mothers Against Drunk Driving had been clamouring for some time; and, Bill C-35, a reverse onus on bail provisions which in effect codified the existing treatment of the law by jurists in the country, jurists who are exceptional jurists.

I have said this for two years. It seems like I just got here but I am here again defending judges and saying that they were enacting the provisions of Bill C-35 long before we had to make it law. Finally, there was Bill C-27, with respect to dangerous offenders.

Those were all bills that were moved along and would be law now had the government not pulled the plug on its own agenda. It euthanized its own criminal justice program.

Government Orders

In light of the Conservative vote on the capital punishment issue today, it is not surprising that Conservative members believe in terminating things. They have terminated their own hopes and dreams for criminal justice.

However, we want to move Bill C-23 along, which is now Bill C-13. It is an important bill that will deliver a lot of valuable aspects to the criminal justice system.

However, as I move to what is probably bread and butter for me as a New Brunswick politician, the language of the accused, I want to highlight what the bill will do and what it has done in the past. It is important to note the existing context.

●(1615)

At the request of the accused, a judge will order that the accused be granted a preliminary inquiry, a pre-trial procedure, and trial before a judge without jury, or judge with jury, who speak the official language, one or the other, which may be the language of the accused.

If the accused speaks neither English nor French, a judge will order that the accused be granted a preliminary inquiry or trial, without a judge and jury, who speak the official language of Canada in which the accused can best give testimony. The court is also required to provide interpretation services. That is the existing set of laws.

What Bill C-13 does to improve upon that, in clause 18 of the original bill, is to suggest that once the accused appears in court, the judge is required to advise him or her of the right to trial in the official language of his or her choice, but this requirement, as it exists now, is only if the accused is not represented by counsel.

What Bill C-13 does, which Bill C-23 did and which we all agree on, is take away the issue of representation and says that the judge must advise the accused, whether represented or not, it was a false barrier, to his or her right to have a trial in the language of his or her own choice. That was a good change and it leads me into some of my further debate points when I say that the judge was required to advise the accused of his or her languages rights.

I know the member for Beauséjour is a member of the bar. He is experienced in certain criminal proceedings and would know, coming from a francophone milieu, that it is critically important that the gatekeeper for language rights in that context, the provincial court judge in most instances, has that positive duty to inform a judge of his or her right to a trial in the language of his or her choice. It is important to know that the judge is already doing that.

With respect to preliminary inquiries and the trial in both official languages, clauses 18 and 21 changed it so that they became more accessible. Trials in the proper language of the accused, either French or English, would be improved by this bill.

I might add, as an aside, that the translation of documents would be ameliorated certainly by these amendments and we are all in favour of that.

I guess where the rubber hits the road is what to do with the amendments presented by the Senate. My friend, the parliamentary secretary, discussed at length some of the amendments, and I want to

counter on the two on which we might have a more elaborate discussion.

●(1620)

[*Translation*]

We know that this bill is aimed at modernizing our criminal justice system and making it more effective. That goes without saying. My party had indicated that it would support the passage of this bill when it was first introduced before prorogation. It was the bill that I mentioned earlier, Bill C-23.

In the context of this modernization, it is important that the rights of all Canadians be respected with regard to the use of official languages in court proceedings.

[*English*]

Canadians, particularly those in minority language situations, know they have certain rights under the Criminal Code, but it is the federal government's responsibility, and I suggest our responsibility as lawmakers, to ensure the application of those rights is clear and that the judicial process is not delayed.

The way the government presented its view of language rights in Bill C-13, a justice of the peace or court judge would only be charged with finding some way to ensure that accused persons are informed of their language rights. That is really not enough.

One of the amendments that we proposed should be supported. We are in argument with the government on this, at least according to the parliamentary secretary's speech. It is important to say from the outset that the judge already has a duty to advise the accused of his or her rights. The language says that the judge must ensure that the accused knows of this option.

I have witnessed many first appearances and I am very confident in the ability of our judges to advise accused persons of their rights. It is commonly done throughout the province of New Brunswick and in any federally appointed court system where official languages are important.

The amendment proposed by the Senate would ensure that the federal government takes on its responsibilities through its agents to inform any accused persons of their right to proceed in the official language they understand. The Senate amendment simply takes out any potential middleman in the administration of justice. The judge would inform the accused of his or her rights.

I do not think that it is an undue burden for a judge. If there is clear communication during court proceedings, we are simply providing for clear access to justice for all those involved. It falls in line with our democratic society's pledge to have an expedient judicial process and it takes out the aspect of appeal.

I think the government wants efficacious legislation but I cannot be sure sometimes because some of the legislation it presents is so poorly written and so hastily delivered, only for the purpose of a television spot on the news, it is not always clear. In this case, however, if the government would only support this Senate amendment, it could have efficacious and fair language policy through the Criminal Code.

Government Orders

Sadly, the other Senate amendment respecting the reporting on official language requests is not one that the opposition can support. We cannot agree with it because it would require the Minister of Justice to report on the language of proceeding or testimony in criminal matters across this country.

There can be no way that all attorneys general in all provinces and in all territories would have the means to uniformly report on this. As the parliamentary secretary rightly commented, it is not the minister's mandate. In saying this, I do not mean that the Minister of Justice is not competent. I mean that he is not competent in the law to do such reporting. For that reason, we support the government in its opposition to that Senate amendment.

I understand the Senate's concern with ensuring that there is accountability in respecting language rights but we can surely do a more effective job in ensuring this by using the other resources that are in the community.

I know well-known jurists and hard-working jurists in my own province.

•(1625)

[*Translation*]

They are Sacha D. Morisset and Christian Michaud, who are both members of the Association des juristes d'expression française du Nouveau-Brunswick. They often highlight the statistics with regard to French language trials in our province. If it can be done in New Brunswick, I am sure it can be done in Canada.

Again, we do not support that Senate amendment.

[*English*]

In short, we are very happy to get moving with this important legislation. We are happy the Senate took the time to improve the bill by suggesting that judges, who are the gatekeepers in our system, have the duty to inform an accused of his or her rights respecting language in this country.

It is bedrock in this community and this country that we offer services in both languages with respect, at least, to the Criminal Code of Canada and the criminal justice system.

On this one amendment from the Senate, I urge members of the government to agree with the Senate and with the Liberal Party and its justice team that it will make the situation with respect to the delivery of language rights in this instance a much better thing.

I am very proud to suggest that we support the bill and one of the amendments suggested by the Senate, which is one of the two that are excluded from the government's list in the final motion.

I want to move the following amendment. I move:

That the motion be amended by deleting the words "agrees with Amendments No. 2, 4, 5 and 6" and substituting therefore the words "agrees with Amendments No. 1, 2, 4, 5 and 6" and by deleting the paragraph commencing with the words "disagrees with Amendment No. 1".

The Acting Speaker (Mr. Andrew Scheer): The amendment is in order.

[*Translation*]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, it is always pleasant to see how much support I have on the government side.

I would like to ask a question of the hon. member for Moncton—Riverview—Dieppe. He gave a major speech on basic aspects of Bill C-13, which affects, as he said, minority language communities such as the francophone Acadian communities in New Brunswick, including those represented by my colleague and me.

I know that when the hon. member for Moncton—Riverview—Dieppe was the mayor of Moncton, he fought hard for the francophone cause and for bilingualism in his city. I know, too, that he was very disappointed by the government's decision to eliminate the court challenges program. Like my colleague, I believe that we should accept the Senate amendment that calls on judges to explain to accused what their language rights are.

Does the hon. member think that francophone communities will really be able to assert their constitutional and linguistic rights without the court challenges program? How does he see this bad decision on the part of the Conservative government?

•(1630)

Mr. Brian Murphy: Mr. Speaker, I want first to thank the hon. member for Beauséjour for his question and congratulate him on this new position. He is now my boss, actually, as the justice critic.

In regard to his question, it is obvious that we have to fight for our rights. That is the history of greater Moncton, of New Brunswick and of Acadia. When I was young, there was not much sign of the French language in the cities and courts. Now these rights are enshrined in the Canadian constitution, the Charter of Rights and Freedoms, the statutes of New Brunswick, and the by-laws of the City of Moncton. That is why it is very important to remember how enormous these challenges seemed at the time. These successes are due to the work of a lot of people but also to such programs as the court challenges program.

The enshrining of language rights or any kind of rights is the result of struggle against people who do not want the minority to have rights. That is why I am very proud to be a member of the Association des juristes d'expression française du Nouveau-Brunswick, because those people are totally opposed to this government's decision to cancel the court challenges program.

For these reasons, I am very proud to support this bill. It is too bad that this government took so long to bring it forward. That is the truth. I am very ashamed to be a member of this House, because the government cancelled the court challenges program. It is horrible.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have a couple of comments on the bill and then on the process.

Government Orders

First, I certainly appreciate one item in this bill, which originally came from Liberal consultation. It is the power to delay sentencing proceedings so an offender can participate in a provincially approved treatment program. We say it all the time that treatment is more of a solution than is incarceration, especially crimes involving drugs, a point that will be made a great deal stronger in the next bill once we finish with this one, which will be shortly.

In relation to this bill, at one time I asked the committee to make it mandatory to present the accused with the short court documents containing charges in the person's language of choice. The committee did not agree because there would be too much paper and yet it would only be maybe less than a couple of dozen papers a year.

The parliamentary secretary said that one Senate amendment could not be accepted because the federal Attorney General would not have the information as to whether a trial was conducted in English or French. One just has to read the record. It would be pretty easy to see that something is written in English or French.

The other thing I want to comment on is the whole ridiculous diatribe on the process from a government that has held up Bill C-2 for so long and in so many ways, as the member outlined, through proroguing Parliament. We had many witnesses. I am sure the minister is being chastised in the Senate today for how long he took, much longer than the Senate probably will to review a bill. The Senate has made many changes.

We will remember that the government not very long ago passed a bill that would disenfranchise the majority of people in a number of constituencies in the country.

An hon. member: Only in the rural areas, was it not?

• (1635)

Hon. Larry Bagnell: Yes, in the rural areas. The government does not think it should have a review of its bills. That was pretty ridiculous. That member could talk about the process.

We have a two party House and, whether we like or not, we must respect it.

Yesterday in committee, derogatory personal comments were made by the Minister of Agriculture and Agri-Food and the NDP justice critic about a member in the other House and I would hope they would apologize.

Mr. Brian Murphy: Mr. Speaker, the member for Yukon is a stalwart member of the justice committee. He works very hard at ensuring the interests of justice are served. More than that, he does a lot to ensure that his region of this great country is recognized.

After hearing the explanation of the Minister of Finance and him paying all that money to discover that Canada ends at the Rocky Mountains, I want to assure Canadians that Canada goes from east to west. It also goes far north. It goes to the riding of Yukon. The member has expressed many concerns about the aboriginal community.

He is completely right. Bill C-13 was Bill C-23, which could have been law except for, as he says, the ridiculous measures and attitude of the government. The Conservatives was so afraid of a private

member's bill that they flushed the drain on all other business, including good business like this. It is sad, cowardly and ridiculous.

Here we are, months later, and the provision that delays the sentencing procedures so an offender can participate in provincially approved treatment programs, which already exist and are in place, should have been put into effect many months ago. The member for Yukon knows that.

The member for Yukon has also addressed language rights with respect to aboriginal peoples. We are evolving as a democracy. We have done fairly well on language rights, despite the actions, the backward, Luddite actions, of the government in cancelling the court challenges program.

We have done pretty well on language rights with respect to bilingualism, meaning French and English. However, what about those minorities in Yukon and in the northern territories and throughout the country?

The Conservatives are supposed to care about western Canada, but there are a lot of aboriginal people who are overrepresented in our justice system, in the sentencing procedures, who may not be served in the language of their mother tongue.

There has been no movement on this because the government does not care about anything but its shrinking 30% or so of the population it serves. The rest of the people in Canada, if they speak another language and the Conservatives do not represent it, they do not matter. If they get any opposition from a wee private member's bill, they will flush all the legislation down the drain to the detriment of the country. They should be ashamed.

The Acting Speaker (Mr. Andrew Scheer): Order, please. The hon. member for Moncton—Riverview—Dieppe had quite a lot of assistance with his answer. I do not think he needed it. I think all hon. members should remember that when someone is answering a question, we should give him the respect and allow him to do so in peace.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, has debate resumed?

The Acting Speaker (Mr. Andrew Scheer): Before the hon. member for Hochelaga takes the floor, pursuant to Standing Order 38, it is my duty to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the member for Mount Royal, Darfur; the member for Gatineau, Official Languages; the member for Outremont, Airbus.

Resuming debate.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to speak to Bill C-13, which is fairly technical. It deals with the language of juries, procedures for service of documents and also, the aspect that interests us most, the whole issue of official languages and the provision of trials in the official languages. Consequently, it addresses access to justice by minority groups.

Government Orders

We support this bill and are in favour of the amendment tabled by our Liberal colleagues. If I have understood correctly, this amendment clearly recognizes the responsibility of a judge to inform the people before him in a court of law, the people who will be participating in a trial—whether or not they are the accused—that they have the right to a trial in either official language, naturally in the language of their choice. This ensures that justice will be served.

In general, I would like to remind the House that Bill C-13 initially proposed that an accused who does not speak the same language as the majority of a group of accused should not be penalized. It suggested as well that it would be possible for a judge or the chief court coordinator to ensure that a co-accused who does not speak the same language as the majority appears before a bilingual judge or has a separate trial. That is part of our constitutional guarantees. It is also in the Criminal Code and is one of the factors we should always remember as parliamentarians, that is to say, people must always have access to justice in their mother tongue.

For example, when francophones outside Quebec are put on trial—especially when the trial involves multiple charges or there are several accused at the same time—there is always a danger that they will be assimilated because the majority rules, and obviously that is not what we want. The bar expressed its concerns in committee that justice could be denied to minority groups at various points in our current trial procedures.

In regard to linguistic rights, the current system provides that at the request of the accused, a judge will order a preliminary hearing. We all remember that the preliminary hearing is the stage before the trial itself when a judge assesses the evidence that the Crown has and commits the accused to trial. It is a very important stage. The legislation currently provides that, at the request of the accused, a judge will order a preliminary hearing and trial before a judge alone or a jury that speaks the official language of the accused. There is always a concern, therefore, that no one in a minority language situation should be denied knowledge of the evidence against him and the legal procedure or prevented from interacting with the officers of the court and the judges, so that there is always the possibility of ordering a trial in the language of the accused.

I also want to remind the House of similar concerns surrounding the entire question of legal documents. When an accused asks to have his trial in the official language of his choice, in accordance with section 19 of the bill, the Crown must have the documents containing the charges, the information and the indictment translated into the official language of the accused or the language that he best understands. After everything is translated, if that would help the accused understand it better, it is turned over to him.

• (1640)

Changes have also been made in regard to the examination, cross-examination and preliminary hearing. I mentioned that the preliminary hearing is very important because it is here that the Crown reveals its evidence. This is when it is determined whether or not there is enough evidence to proceed to trial.

It should be noted that witnesses can use either official language at the preliminary hearing and the trial. Clause 20(2) of the bill enables the prosecutor, if authorized by the judge and if the

circumstances warrant, to examine or cross-examine a witness in the witness's official language.

Let us look at the case of a francophone accused of a crime. For example, suppose the member for Québec, a francophone, were accused—let us imagine the worst—of having killed her husband. She is ordered to trial and there is a person who saw her kill her husband, Mr. Lemieux, a man who gave her more than 20 years of his life, a veritable saint of a man. If the person who saw her kill her husband is an anglophone, he or she will be summoned to testify as a witness. In this case, the crown prosecutor is bilingual. One may ask in what language the prosecutor will ask questions of the witness. Thanks to the amendments to Bill C-13, it will be possible for the person conducting the examination of the witness, even if he or she speaks a different language than that of the accused, to communicate directly with the witness, thereby avoiding the need for interpreters. Thus, the member for Québec, a francophone, kills her husband; an anglophone witness is called to testify and the prosecutor who laid the charge is bilingual. The cross-examination could be conducted in the language of the witness. In my example, I referred to my colleague, the member for Québec, but honourable members will recognize the fictitious nature of my example because the member for Québec is well known as a peacemaker, without excess of any kind, far removed from anger and possessing total self-control.

That said, I want to say a few words about the amendments that the other place, the Senate, has proposed.

In my opinion—it was a recommendation of the Senate and it is a recommendation of the Liberal opposition—it is desirable that the judge should personally ensure that the person who appears before the court, whether at the preliminary inquiry stage or during the trial on the merits of the case, is clearly aware of his or her linguistic rights, including the right to request a trial in either official language. In a case where there are co-accused, one accused person can even ask for a separate trial when necessary.

Obviously, there are many people involved in the trial proceedings who could inform the accused that his or her linguistic rights must be respected. The prosecutor or the accused's attorney could do so, or others. In my view, it is a wise move to make certain the judge is able to do that.

Our colleagues in the other place, the senators, have also asked that the legislation be reviewed in three years. This kind of review mechanism, I believe, is now quite common in our bills.

Of course, the Bloc Québécois supports this amendment. The Senate has submitted different cross-referencing provisions, particularly with regard to Bill C-2, the omnibus bill tabled by the government. I have been told there was a bit of a delay in the Senate, which provoked some anger from the parliamentary secretary. As I recall, Bill C-2 was a combination of five previous bills, namely, C-9, An Act to amend the Criminal Code (conditional sentences), C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make consequential amendments to another Act, the bill on dangerous offenders, the bill on reverse onus in bail hearings and a bill dealing with impaired driving and the new charges that could be laid.

Government Orders

•(1645)

So, Bill C-2 impacts on Bill C-13, and the Senate has presented cross-referencing amendments.

Of course, the Bloc Québécois supports Bill C-13 and the amendments proposed by the Liberal opposition. However, I cannot conclude without talking about the court challenges program.

How sad it must be for all parliamentarians to see how this government has taken an insensitive measure. I thought the Minister of the Environment would join his voice to that of the Bloc Québécois and defend francophone minorities. If I am not mistaken, he was responsible for this issue when he was a member of the Mike Harris cabinet. Mike Harris will not be remembered as one of the most progressive parliamentarian in history, but I thought that the Minister of the Environment wanted to follow the philosophical saying to the effect that taking the middle road is doing the virtuous thing. How can one support abolishing the court challenges program and thus move away from the middle road and virtue?

As members know, the Bloc Québécois is a very responsible opposition party. It is the number one political force in Quebec, and it will continue to be so, if such is the wish of Quebecers. So, the Bloc Québécois brought forward an amendment at the Standing Committee on Canadian Heritage, and also at the Standing Committee on Justice and Human Rights, to resurrect the court challenges program. Unfortunately, we were disappointed by the Conservatives' response. The Conservative Party can no longer be called "progressive". The fact that they removed the word "progressive" from their name is quite telling.

So, the Bloc Québécois brought forward an amendment in both of these committees. As we know, had it not been for the court challenges program, the French fact outside Quebec—for which our ancestors fought—would not be what it is now. And the Minister of the Environment must raise his voice in cabinet, regarding this French fact.

It is being said that the Minister of the Environment is part of the progressive wing of cabinet. How could he have supported this decision? I will have to tell the member for Rosemont—La Petite-Patrie, because I believe he has some influence with this man. I believe that the member for Rosemont—La Petite-Patrie will have to make the Minister of the Environment understand that he has failed in his responsibilities by not crossing party lines and by leaving francophones outside Quebec to be denied an extremely important tool in this way.

Why is this important? Take the example of school boards. In Quebec, we call them commissions scolaires, but outside Quebec they are conseils scolaires. Governments have not always spontaneously decided to grant resources and equip francophones in some communities with all institutions, from Prince Edward to Alberta, and including Saskatchewan. By using the court challenges program, with public funds, they were able to bring challenges in the courts. The case went as far as the Supreme Court of Canada and forced the establishment of school boards in francophone communities outside Quebec, which are of course minority communities.

How bizarre, not to say stupid, is the reasoning of this government, which claims that it never enacts or introduces

unconstitutional laws? Well, I have been sitting in this House for 14 years and I have seen legislation and regulations repeatedly challenged and held to be invalid. Remember that the tobacco regulations, for example, were declared invalid by the Supreme Court. A number of decisions that have been made have been held to be invalid. It is not simply a matter of laws being ruled invalid, it is a matter of getting new ones recognized.

For example, Michael Hendricks, a resident of Montreal, used the court challenges program to have same-sex spouses recognized.

•(1650)

Today, people whose sexual orientation is homosexual can marry, can have proper weddings and experience the joys of marriage—and of course sometimes also the anguish of divorce. Had it not been for Michael Hendricks and his spouse, René Leboeuf, we would never have moved so speedily toward full recognition of rights for the gay and lesbian community. So you can see that the court challenges program has served both francophone communities outside Quebec and gay men and lesbians well.

When we come to examine the Conservative government's record, the debit side will include the insensitivity it has demonstrated. I can only mourn the fact that no one in the Quebec caucus of the Conservatives felt the need to stand up for francophones outside Quebec. In fact, I say "francophones outside Quebec", but there is nothing in the court challenges program that made the anglophone minority automatically ineligible to use it. Of course I will be told that the National Assembly has long made sure to respect the anglophone minority in Quebec. In the plan he put forward before the 1995 referendum, Jacques Parizeau said that it was a founding minority of Quebec.

In Quebec, the constitutional rights of anglophones were recognized, and still are. For instance, anglophones have access to learning institutions from kindergarten to university. Even though Quebec is not officially bilingual, a whole range of programs and measures is available to anglophones outside Quebec.

Valéry, a famous name in history, wrote that one can measure how great a civilization is by how it treats its minorities. Of course, in Quebec, we have every reason to be proud of how we have treated the anglophone community. We are equally proud of how we have treated our aboriginal communities. It is well known that René Lévesque was the one who gave recognition to aboriginal communities. Indigenous languages are still used by aboriginal people, and mechanisms maintained by the state allow them to assert themselves as founding nations of Quebec.

In summary, we support this bill. It deals with a number of technical details, but where language rights are concerned, we feel that it is a good piece of legislation, particularly with respect to the right of the co-accused to be tried in the language of the minority, provided that it is one of the official languages. We also support the Liberal amendment that will see the judge presiding at the preliminary hearing or trial be put in charge of recognizing the rights of those appearing before him or her and having them recognized.

Government Orders

In addition, we condemn the Conservative government's insensitivity to minority communities. Hopefully, by the next election, the government will have had a burst of conscience and lucidity and restored the court challenges program.

Finally, I hope that the Minister of the Environment will rise and put a question to me.

• (1655)

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, I am pleased to respond to the speech made by my colleague from the Bloc Québécois. He made a very interesting suggestion. He talked at length about the court challenges program. I will ask him a few questions on that subject.

Would he agree with the idea that the federal government would give money to citizens groups to challenge provincial legislation in Quebec? We, on this side of the House, believe that it would be an encroachment into provincial jurisdictions. If that is the Bloc's position, will the member call his boss, Pauline, to ask her if this is a new change within the sovereigntist party?

I would like to mention that Mike Harris, when he was premier of Ontario, created 12 French-language school boards throughout the province. Never in Ontario history had a premier done such a thing. Moreover, again thanks to Mike Harris and for the first time in Canadian history, there was equity in education funding. For more than a century, French-speaking students had been receiving less funding, and it took a Conservative government to correct that. I would also add that, as Ontario minister of francophone affairs, I was very proud to say that the Montfort Hospital would stay open.

• (1700)

Mr. Réal Ménard: Mr. Speaker, I thank my colleague, the Minister of the Environment, for his question. However, I cannot help but notice that he becomes emotional at the mention of Mike Harris' name. I urge him to remain rational in this debate. I want to remind him that the court challenges program has to do with guarantees under the Canadian Charter of Human Rights. We are not suggesting that the court challenges program allow provincial legislation to be challenged. Correct me if I am wrong—in which case I would like the minister to show me one case where provincial legislation was overturned—in my understanding, this has to do with federal responsibilities and the Canadian Charter of Human Rights.

Let us talk about the Conservatives' record when he was minister. Apparently he was quite close to Mike Harris and it is even said that the Minister of the Environment has three idols: Brian Mulroney, Mike Harris and Stephen Harper. I hope he remembers that when we look at the Harris government's record on francophones outside Quebec, there was the issue of the Montfort hospital. The hon. member, chair of the caucus, had to get funding. There was an unprecedented mobilization of francophones because that government wanted to close the Montfort hospital. I hope he is not saying that this was something positive and that the Harris government has a good record when it comes to francophones outside Quebec, because that is the furthest thing from the truth. The hon. member for Richelieu-Yamaska even had to appeal to Bloc members, who contributed with great pleasure. The Bloc members were involved in saving the Montfort hospital. We reached into our pockets and we

donated money to keep the Montfort hospital open. That was a total lack of sensitivity by that government.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, as members know, this week's theme is the failure of the Conservative government's agenda on crime, resulting in them being very soft on crime.

I know the member is a very intensive member of the justice committee, but I will give him nine quick areas where he can show how the Conservatives have been a failure and soft on crime, and I know he can think of these himself.

First, we found out in committee the Conservatives were not following the recommendations of the justice department.

Second, expert after expert showed them how to be tough on crime and they went totally against their recommendations and would not withdraw the bad legislation.

Third, they would not be tough on crime by following the court challenges program and supporting it.

Fourth, they would not be tough on crime by supporting law reform, fixing up the law through the Law Reform Commission.

Fifth and sixth, by trying to remove alternative sentencing and restorative justice, which were reducing crime, they are soft on crime.

Seventh, they had terrible written laws. One law was seven words. As members know, it has taken a whole year because it was so bad and the Conservatives did not consult.

CBC had a wonderful program last week about our prisons. Prisons are where we can be hard on crime and stop the reoffending, but they do not have the educational or anger management courses.

Eighth, the Conservatives have done nothing to reduce the overpopulation of aboriginal people in the justice court, which is another way they have been soft on crime.

Finally, the Conservatives prorogued Parliament. From which department do the majority of bills come? The Department of Justice. Once again, they were being soft on crime.

There are a lot of areas the member could talk about on how they could improve the government's agenda and actually reduce crime in Canada.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, last June, my colleague from Châteauguay—Saint-Constant, my colleague from Marc-Aurèle-Fortin, my colleague from Abitibi—Témiscamingue and I put forth about 12 proposals that will become a bill. We think the priority should be to put more money in the crime prevention program to help community agencies do their work.

Government Orders

We also believe that it is important to examine the issue of parole. We believe in the principle of rehabilitation. However, on the issue of accelerated parole review, we believe that if a court of law sentences an individual after a fair and equitable trial, it is perhaps too early to release that individual after he has served only one-sixth of his sentence. We also made proposals about section 719 of the Criminal Code. We asked that members of criminal organizations be prohibited from wearing crests.

Even though there is a law defining criminal organizations, it is not right that in our society, the Hells Angels can walk around wearing their crests. We proposed measures so that once a group is recognized as a criminal organization, its members cannot wear symbols to identify themselves.

The Bloc Québécois has a number of ideas when it comes to justice. I thank my colleague for the question.

• (1705)

[English]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I rise today with mixed emotions. On the one hand, I am almost looking forward to the opportunity Bill C-13 gives me to attack the government and the other chamber for their misconduct, if I can put it that way. That is the emotion on one side, which is a positive one in terms of getting my adrenalin flowing.

However, on the other hand, I feel some significant regret because Bill C-13 and its prior incarnation in the form of C-23 is badly needed to be law, not to be deemed played with as a political toy, which both the government and the Senate are doing.

The history of the bill is that it was first brought before the House by the government in 2006. It went to the justice committee where a number of amendments were made that improved the bill. The bill addressed points of issue in a number of areas, particularly our police but also our prosecutors and the judiciary to more efficiently administer our criminal justice system.

A number of these amendments had been needed for quite some time. The Liberal administration, prior to the Conservative one, had allowed a number of these points to go unaddressed, some of which are as old as two decades and needed to be addressed. Requests had been coming from the police, the prosecutors and our judiciary over that period of time looking for these amendments and they just were not addressed.

The Conservatives came forward in their administration, packaged a number of them into one bill and sent them to the justice committee. We made further amendments that improved the bill. We sent it back to the House and it went through the House with all party support. It went to the Senate around the time the government decided, because it did not have enough of an agenda and did not know what it would do when it returned in the fall of 2007, to prorogue Parliament. The end result was that Bill C-23 died on the order paper in the Senate and had to be brought back.

It came back as Bill C-13 in the new House in the fall of 2007. It did not go to the justice committee. We just passed it and sent it over to the Senate because we had already done all the work that we wanted to do on it in the House.

What happened? The Senate decided that it would stick its fingers, as an unelected, non-responsive, I would say, irresponsible body—

Hon. John Baird: Keep going. That's good.

Mr. Joe Comartin: The environment minister wants me to keep going on this. The thing is that it was his government that gave the Senate the chance to do that. The government keeps attacking the Senate but it keeps giving the Senate the chance to do this. If it were really serious about dealing with the Senate, it would do what the NDP has advocated for decades now and abolish it so that we are not faced with this kind of delay to legislation that our country badly needs.

Let us look at some of the things that are in the bill. The government talks about being tough on crime. There is a section that is badly needed for our judges to be able to deal with the plague of child pornography. Right now the Criminal Code has no provision that gives a judge, once someone has been convicted of child pornography, to seize the equipment that the person used to create the child pornography, whether it is photographic equipment or computer equipment. None of that can be ordered seized by the court after a conviction.

The section is there now but it should have been law by now. However, because of the determination by the government to prorogue Parliament and cause further delay to some of the crime bills, this one in particular, we do not have it yet. That is added to by the other chamber being grossly irresponsible in further delaying the bill. The government gave the Senate the opportunity to do it and the other chamber took the opportunity to further delay. It is really sad to say that our criminal justice system is, in this case, at this stage.

• (1710)

There are provisions in the bill that would allow for the expeditious use of technology today to obtain warrants and have other paperwork processed rapidly and transferred among the provinces. We have a major problem with this and have for a long time. Paperwork needs to be done in a very limited, specific way that really hinders the work our police officers are doing across the country because of so much more paperwork they have to do.

A number of the amendments would help clear that up and bring it into the 21st century. The amendments would allow the police officers to produce paper from computers and emails rather than having to rely on printed material, having to send it through the mail or having it delivered by messenger. It is crazy that we are at the stage that we have not changed this a long time ago.

We cleaned that up and made it possible for them to come into the 21st century and use technology much more efficiently and process the files much more efficiently. It is sitting in this House. I suppose only someone with much more wisdom than I will figure out whether it goes back to the Senate and it decides to do further amendments.

Government Orders

There are other provisions in here that were necessary for the law to be clarified. As we heard from my colleague from the Bloc, some provisions with regard to the rights to have a trial in the other official language other than the dominant one in the province where the charges were applied. Again, this is one area where there were some good amendments at committee and they were passed on to the Senate. The Senate has now decided that it wants to tinker with this more and further delay the use of it.

One other amendment that my colleague from the Liberal Party has referred to was the need to update the level of fines. It was an amendment that the government brought forth to increase the fines up to \$10,000. I, quite frankly, got an amendment at committee that reduced the fines to \$2,000 from \$5,000, given that these are for more minor crimes. They are crimes that would be more likely to be committed by people who are unable to pay a fine of \$10,000 and would have ended up spending extended periods of time in jail simply because they were in the lower economic classes of our society.

We got all that through. There was a fair amount of work done on this at the justice committee and then sent back to this House, passed in a democratic process and sent on to the Senate to involve itself in a totally undemocratic process.

The Senate has put forward six amendments. The government is prepared to accept them, which is wrong. I have to say, on behalf of my party, that, because the bill is so important and we need it so badly, we will accept these amendments, the four the government recommended and the fifth amendment that the Liberal Party has now moved. I would have taken the sixth one because generally these amendments do not do anything of any importance and, to avoid further delay, we would support it.

The other chamber felt that it had the right to tell this chamber that we should do a review of this bill, ignoring the reality that the justice committee is responsible for, by last count, something like 20 or 25 laws on which we are supposed to have done reviews and that we are behind in doing.

By imposing on us a mandate, which the government has accepted to do, that in three years we will review this law, it is impractical. We will not be able to do it given how busy the schedule is for the justice committee. However, that is one the government accepted.

Amendment No. 1 would impose a responsibility upon the judges. I have heard from the other opposition parties that they are prepared to accept this. I want to say that this is not the process that I see that should be applied by judges.

● (1715)

The existing law requires a judge to ensure that the persons before him or her is aware of their right to have a trial in the other official language. The Senate now says that is not good enough and wants to impose this duty on the judiciary to tell individuals their rights.

I want to take issue with my colleague from the Liberal Party who said that this is usual. It is not usual. This is not the role of the judiciary. It is the role of defence counsel, the legal aid system and it may be the role of the prosecutor. The role of the judge is to ensure that it happens but it is not the judge's responsibility to give legal advice.

Amendment No. 1 from the Senate would impose that role on our judiciary. It is extremely rare for the judiciary to tell the petitioners before them their rights. That is a role to be played within the advocacy system that we have, either by the defence or the prosecutor. This amendment is wrong in law and wrong in terms of the practice it would impose on our judiciary. On top of everything else, it is meddling by an unelected, irresponsible body.

Some of the other Senate amendments are technical because of the initial amendments it made. Other amendments needed to be made in order for the legislation to make sense and be cohesive.

I have one final point to make with regard to the amendment, which I think all of us are opposing. The amendment would impose the responsibility to gather data on the provinces. Under our constitutional framework, the administration of justice, which would include gathering this statistical material, is the responsibility of the provinces. If that duty is to be imposed upon them, it must be imposed, in my opinion, by the legislatures of the provinces, not by this federal legislature. I do not know if the Department of Justice has actually looked at that amendment from that vantage point, but it is definitely improper in my opinion given the constitutional relationship between the federal government and the provinces.

An argument could be made, although I do not think it would be sustained, that under our criminal law we, in this legislature, have the right to impose that responsibility on the provinces. The administration of justice power given to the provinces is the dominant one here, so that amendment is wrong and would be found to be unconstitutional.

As a result of the government's own ineptitude, it has caused a further delay in the passage of badly needed legislation that would affect a number of our laws that have needed to be amended for a number of decades. It delayed the legislation by several months because of its prorogation decision. The legislation finally gets to the Senate where that unelected body decides to tinker with it unnecessarily and produces amendments that are either unconstitutional or unnecessary and of a minor nature. However, that does not in any way justify the delay that we have been put through and will continue to be put through, especially if an election intervenes. We all know we are sitting on the edge.

Therefore, as a result of a really bad decision by the government and gross misconduct on the part of the other chamber, the bill may not even get through this Parliament and be delayed again, not just months, but it could be delayed again for another year or two before we can access its benefits.

We are dealing with a bill that is badly needed in a number of areas. We are also dealing with an unelected body that is obviously intent on meddling in and delaying this legislation just simply to justify its existence.

● (1720)

It has been a long time practice, when speakers from my party have risen in the House, to use the opportunity to emphasize the need to get rid of the other chamber, to bring us into the 21st century, to recognize that this is a democracy and should be a full democracy. I hope I have been able to convey that message clearly today on behalf of my constituents and my party.

Government Orders

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I want to make a note for the record. There is another correction I would like to get in the bill, but not at this time. I will wait until the next round, but I want to ensure that people are aware of it.

Under section 530.01, it talks about a trial being in the official language of the accused. That is great. Then it says that once it is in that language, the information of the indictment, which is the small document with the information on the indictment, will be translated but on the application of the accused. That should be automatic. Why would the accused not be given this short document?

Arguments were made in committee that it would be too onerous for the provinces. However, the witnesses from the Department of Justice said that it could only be one or two pages. It could be a couple of dozen pages in an entire year across the country.

In the rights of justice, in the future I would like to have paragraphs 530.01(1)(a) and 530.01(1)(b) altered with that minor improvement to make it more just for the person. I hope if this comes up some time in the future, the member will support that change.

Mr. Joe Comartin: Mr. Speaker, this did elicit a fair amount of debate in committee exactly along the lines that he suggested. Why is it necessary? If in so many other areas the accused person is entitled to the material in writing, then why here would the accused have to make a special application?

We ended up leaving it alone because the limited information we could get our hands on at the time was that it would impose an onerous responsibility. My colleague from Yukon and I had some doubts about that, but rather than impose further responsibility on the provincial governments to respond to this, we left it alone at that point, expecting at some point in the future we would revisit it and perhaps at that time have more information as to whether this would impose an onerous duty on the provinces.

We have seen more than enough downloading by the present government and the previous Liberal government on the provinces in terms of shifting responsibility to them without providing additional financial resources to meet that responsibility. Overall, the committee felt it was simply not prepared to do that in this case without having more specific information.

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am happy to enter the debate on Bill C-13. The bill in its original form was passed by the House of Commons in October 2007. It went to the Senate and the Senate has come back with some amendments. The amendments the Senate is proposing are more in the area of reviewing the bill after certain periods of time and also various reporting mechanisms to ensure the bill is working the way it should.

My colleagues, the member for Moncton—Riverview—Dieppe and the member Notre-Dame-de-Grâce—Lachine, have been the lead on the bill, so I am not here to debate the bill generally. The bill deals with some of the mechanisms of the justice system. Generally it is seen as an improvement on the Criminal Code with respect to criminal procedure, language of the accused, sentencing, et cetera. Some of the amendments make certain processes more effective and efficient through the greater use of technology and by consolidating and rationalizing existing provisions.

The reason I am standing here today is to question a couple of the provisions of the bill. It seems to me if we are to write law in Parliament, the law should be practical, relevant, enforceable and generally have the support of the people. In some cases the latter criteria cannot always be met. Sometimes governments have to take some action that citizens generally would not appreciate. However, generally laws to be effective need to be feasible, operable and enforceable and enforced, otherwise people lose their respect and confidence in the Criminal Code.

I will speak specifically to the question of Internet betting. My riding of Etobicoke North has the Woodbine Racetrack, Canada's national racetrack for horses, thoroughbred and standardbred. It operates year round. It was the host of the Queen's Plate and the North America Cup. It brings a lot of economic activity to Etobicoke North.

The development of a two or three hundred acre plot next to the racetrack will be known as Woodbine Live. It will be a whole gathering of entertainment areas, hotels, shopping and other attractions. This operation brings in many jobs and economic activity to the riding of Etobicoke North. I know the Woodbine Entertainment Group is anxious to employ local people to help build the Woodbine Live project and to help operate it. It is committed to that as am I.

The reality is the racetrack is a legal gaming operation. The Woodbine Entertainment Group used to be the Jockey Club and was renamed some years ago. The group and I have been quite frustrated with the growth in illegal Internet betting, which essentially takes market share away from its legal gaming operations based on the racetrack. We have laws right now on the books that prohibit certain aspects that go on as we speak, and in large volume.

I will go over some of the provisions currently in the act. Bill C-13 would make certain changes to the provisions in the Criminal Code as it relates to unlawful Internet gambling. It perhaps provides greater clarity on what is illegal, and that is a good thing and a positive development. However, it needs to be enforced by the authorities, or we need to change the rules to level the playing field and allow organizations like the Woodbine Entertainment Group to get into the area of Internet gaming, and it would be quite happy to do that.

● (1725)

Right now, because Woodbine Entertainment Group is licensed provincially and because Internet gambling is generally unlawful, it would not engage in unlawful activity in the first place. Second, if it were to, it would jeopardize the Ontario gaming licence.

The Woodbine group is caught in a Catch-22. It is seeing its market share eroded because of activities that are illegal in Canada, but not forced. Yet because of its stringent licensing provisions and its respect for the law, it is unable to get into the Internet betting.

One of the solutions would be for us to ease our restrictions on organizations like Woodbine to get involved in Internet betting. Frankly, I do not see it going away.

Government Orders

We can regulate things like that to death. We can bring in laws, but organizations like the RCMP and the Ontario Provincial Police are not enforcing these provisions. In fairness to them, if they are dealing with drug dealers, terrorists, illegal migrants and other criminal activities, it only stands to reason that enforcing illegal Internet betting is not high on their priority list.

At one level, I can understand that, but at another level, if we have laws on the books, we either enforce them or we get rid of them. Otherwise we create a climate where people have a disrespect for the Criminal Code of Canada.

Allow me to go over some things by way of background. If we look at the situation in Canada, advertisement of gambling on Internet casinos, including foreign lotteries, is currently illegal if not done by the provinces.

We all know about the various lotteries that go on in Canada. Advertising those lotteries, promoting them is legal because it is done by the provinces. Provincial governments in Canada are permitted to conduct, manage and advertise computer-based lottery schemes like Internet gambling, but they cannot license others to do so.

Part VII of the Criminal Code generally prohibits gaming in Canada, but provides for certain exceptions. Among the exceptions are certain gaming activities which can be carried on pursuant to a provincial licence. A broader range of lottery schemes can be conducted and managed by provincial governments. The racing and the gaming activities associated with horse racing by the Woodbine Entertainment Group at the Woodbine Racetrack is authorized and licensed by the province, and constitutes a legal gaming activity.

Let me tell the House what is happening and happening now in greatly increased volumes and having a detrimental impact on racetracks across the country.

It has been a crime for many years to operate Internet gaming websites in Canada, but that has not stopped many offshore companies from soliciting bets from Canadians. These companies have now become so bold that in addition to placing ads in Canadian newspapers and at sporting events, they are now running seminars in Canada to attract people to their websites. When they meet with people, they say that laws in Canada are pretty soft and undefined, so this kind of activity can go on.

Sometimes we see adverts for poker when we turn on the television. They have an interesting segue. They will have a cometopoker.com or whatever it might be. They will allude or suggest that it is a tutorial on how to play poker, but they all have a very simple segue into poker playing for money. Generally they are complying with the law in one sense, but they are abusing the spirit of the law, and I am afraid the government has not done much about it.

● (1730)

The government says that it wants to fight crime and criminality, but many hard-working Canadians are being ripped off and people who work at race tracks that are part of that economic activity are threatened. Legitimate gaming industries in Canada, such as the Woodbine Entertainment Group in my riding and other provincial gaming operations are being impacted by these illegal Internet

gambling websites. It is costing them millions in revenue and it is putting Canadians out of work. It is creating jobs and some economic activity offshore.

I must say in fairness that our Liberal government did not take a lot of action on this either. Part of the problem is that law enforcement agencies have so many other priorities that they cannot enforce it. That is why I am coming around to the conclusion that instead of clarifying elements of the Criminal Code, which Bill C-13 does with respect to Internet gaming, and making it more clear, hopefully there is an intent to enforce it, but I do not see that.

I should say that the relevant sections of Bill C-13 are in clause 5, which reads:

5. Paragraph 202(1)(i) of the Act is replaced by the following:

(i) wilfully and knowingly sends, transmits, delivers or receives any message that conveys any information relating to book-making, pool-selling, betting or wagering, or that is intended to assist in book-making, pool-selling, betting or wagering; or

The part of the code that is not being amended is saying that this is a criminal offence. I think that makes it pretty clear, but if it is not enforced, I am not sure that it has any impact.

I have looked at changes to the code but frankly do not see what that will do. It has led me to look at a private member's bill that would call on the banks essentially to intercept Visa, MasterCard, or other credit cards or debit cards that are being used for activities that are illegal.

I think that has actually been done in the United States, but unfortunately it is being challenged under the WTO rules because they limited the exposure to offshore Internet operations. However, there are a lot of onshore Internet operations in the United States also that are conducting these illegal Internet gaming operations, so someone has challenged it under the WTO rules. I suspect they will win that one because it is differentiating between onshore and offshore.

I have a draft bill which I am prepared to move forward with that would call on the financial institutions in Canada to set up regimes that would intercept these types of transactions. The bill would provide for the establishment of payment systems to identify and block financial transactions in the course of unlawful Internet gambling.

I have alerted the banking community, which is not thrilled with this because it is a big cost. It essentially transfers the burden of compliance and enforcement to the banking sector because our Criminal Code is not being enforced right here in Canada.

Private Members' Business

In the United Kingdom and other parts of Europe they have taken a different tact. They have acknowledged that Internet betting, like other activities that take place on the Internet, are almost impossible to police. We have to take action on some of them of course, such as with respect to child pornography and any criminal activity like that, but it is a tough job finding those links. People are very clever when they set up these linkages. In Europe and certainly in the United Kingdom, they said that they had to create a level playing field. They said that they would just legalize it so that those organizations that are involved in legal gaming activities under licence will not have their licences jeopardized if they get in and compete with those operators who are operating illegally.

● (1735)

That really is the point I would like to make with respect to Bill C-13. Of course I will be supporting the bill because my colleagues have looked at it in some detail. In fact it was passed by the House of Commons last fall. The amendments perhaps add to the bill. The bill does, with respect to Internet gaming, provide greater clarity around what that constitutes.

If we write laws in Canada that are not enforced, or that are impractical, all we do is create a gap of credibility that we all suffer as Canadians. There is no point in putting out the smoke and mirrors and saying we are defining it more carefully if law enforcement officers in Canada are not prepared to enforce the law. Frankly, given some of the other priorities, I can empathize with that position.

● (1740)

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I am very familiar with my colleague's experience with respect to Woodbine. Woodbine really is a premier facility. All Canadians can be proud of it.

My question is related to the point that my colleague has made with respect to illegal Internet betting. He has made it very clear that there is a lack of enforcement and that lack of enforcement is also compounded by the fact that there is not a clear definition of criminal activity and the linkage with the activity that is going on.

The banks could be given the responsibility under the code to report, and I think that is a good idea. How would it benefit Woodbine if there was not some form of licensing that it could apply for—and of course governments love to tax, as we know—so that all of the betting activity, even though I am not one to engage in that, would also be a source of revenue? How could that be enhanced such that the public could benefit not only from the enforcement but from the licensing provisions?

Hon. Roy Cullen: Mr. Speaker, although Woodbine Racetrack is once removed from the member's riding, it still creates opportunities for employment and economic activity that positively impact his riding as well.

The member makes a very good point. These offshore activities are not attracting any revenues for the treasury in Ottawa or indeed at the provincial level. If we created a level playing field, we would find that it would create more tax revenues for the federal government and for the provinces, and it would be a very positive thing.

With respect to the idea of involving the financial institutions, when people are betting on the Internet, they are invariably using debit or credit cards. If people play these poker games—and I am not one to gamble, although I do go to Woodbine Racetrack and I bet on the horses—the reality is that people put up their debit cards or credit cards. The bill that I was looking at would cause the banks to intercept those transactions and disallow those payments to proceed through the payment system. It is a circuitous way of getting at the problem, and I think the more effective way would be to either have Criminal Code provisions that are enforced or to create a level playing for everybody and bring it out into the open. As the member for York South—Weston points out, that would actually be a source of revenue for the federal government, for the provinces and perhaps for the municipalities as well.

● (1745)

[*Translation*]

The Deputy Speaker: Order, please. It being 5:45 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

OFFICIAL LANGUAGES ACT

Ms. Pauline Picard (Drummond, BQ) moved that Bill C-482, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

She said: Mr. Speaker, I am very pleased to rise again to speak to Bill C-482. I would like to explain what Bill C-482 sets out to amend. First, it would amend the Official Languages Act to recognize French as the official language and the common language in Quebec. Therefore, the federal government would be required not to obstruct the application of the Charter of the French Language within Quebec.

As I begin my speech, I would like to review the elements that led to the creation of Bill C-482.

The starting point was the decision by the House of Commons to recognize Quebec as a nation more than 140 years after Canada became a country.

The Quebec nation existed long before it was recognized. There has been consensus on that for some time now. The fact of the Quebec nation has transcended eras, political parties and debates. In 2003, well before the House of Commons finally decided to recognize it, Quebec's elected representatives in the National Assembly unanimously reiterated the fact that the Quebec people form a nation.

Long ago, the province of Quebec designated the place where elected representatives would sit as part of the National Assembly. The city in which the assembly sits has been given the noble and evocative title of “national capital”. The House of Commons' recognition of the Quebec nation, though slow in coming, was simply to be expected.

Private Members' Business

The decision to recognize a nation has consequences. Recognizing a nation means recognizing its institutions, its emblems, its traditions, its history, its territory, its culture and, inevitably, its language. The people of Quebec are well aware of this. They saw their government recognize first nations, a step that resulted in the signature of a historic agreement known as the Peace of the Braves.

Recognizing the Quebec nation means also recognizing the predominance of the French language. That predominance is ensured in Quebec by a piece of legislation, Bill 101, which makes French the official language throughout Quebec, except as concerns the federal government, which has two official languages. What we are asking the federal government is to be consistent in its decision making. After recognizing the Quebec nation, it is only natural that it should recognize and abide by the Charter of the French Language in Quebec in the Official Languages Act and comply with the spirit of the charter in regard to the language of signage and of work in related legislation.

Some people will say that such an arrangement is impossible. The question is whether Canada is the only country in the world to face such a situation. The answer is no.

Long before us, democracies such as Spain and the United Kingdom proved that it is possible to successfully combine multiple nations within a state. To do so, they relied on creative solutions that respected the coexistence of the national communities within and equipped themselves with the tools they needed to manage the areas where those communities differ.

No later than November 2006, Quebec's Minister for Canadian Intergovernmental Affairs delivered a speech on the subject of the Quebec nation in which he stated:

Quebec and Canada can learn from these experiences in other countries and find unique solutions adapted to their reality. These examples also demonstrate that, far from being a thing of the past, Quebec's desire to be recognized as a nation within Canada is more current than ever. Its legitimacy and feasibility are confirmed by the developments we have seen in other federations or quasi-federations. By respecting and recognizing sociological and political differences instead of denying them, and by translating them into special rights within their political system, these democracies avoided any futile or counterproductive social conflicts.

We must be creative in our pursuit of recognition. We must stop denying the complex character of our society and our national identities, and stop placing them in artificial categories. The reality of those countries experimenting with multi-nation states is just as complex as that of Quebec and Canada. We must not be tempted to abandon the debate, simply because it is a complex question, on the contrary.

● (1750)

Let us remember that those words did not come from an elected member working on Quebec's sovereignty; they came from a minister of a federalist government in Quebec City.

We find that Bill C-482 constitutes an original response that is adapted to the reality of Quebec and Canada. Recognizing the specificity of Quebec is not a whim; it is an overriding duty.

I want to remind hon. members that the Bloc Québécois bill is nothing new. The specific mention of provincial legislation in the text of federal legislation is possible and even common. We are talking about statutory reference. In other words, the government recognizes the provisions of another Canadian legislative assembly.

Take for example the Canada Labour Code, which sets the federal minimum wage according to provincial minimum wages. Section 178 states:

Except as otherwise provided by or under this Division, an employer shall pay to each employee a wage at a rate:

(a) not less than the minimum hourly rate fixed, from time to time, by or under an Act of the legislature of the province where the employee is usually employed and that is generally applicable regardless of occupation, status or work experience.

The Canada Labour Code is subject to amendment within the framework of this bill.

Federal or federally regulated companies are not affected by the Charter of the French Language, particularly insofar as the language of work is concerned. For example, interprovincial transportation companies, maritime transport and ports, air transport and airports, broadcasting, telecommunications, banks and certain companies declared by the Parliament of Canada to be for the general advantage of Canada are exempt. Some of these companies choose to abide by the charter, but it is all entirely voluntary.

An estimated 200,000 Quebecers work under the Canada Labour Code, or more or less 7% of workers in Quebec.

The amendment to Part I of the Canada Labour Code states that federal companies are subject to the Charter of the French Language when they operate in Quebec. This responds to the request made in 2001 in the Larose report:

The francization of the workplace in Quebec also concerns the workplace of the federal government and workplaces under federal jurisdiction. That is why the Government of Canada should take the necessary measures to ensure that these workplaces respect language legislation when they are in Quebec.

● (1755)

This amendment does away with the legal void whereby federal work, undertaking or business can ignore the Charter of the French Language as concerns language of work. It is, however, important to note that many federal businesses decide on their own to commit to Quebec's Office de la langue française's program of francisation.

But what about those that decide to circumvent Bill 101? The response is distressing. Federal companies and companies under federal charter failing to comply with Bill 101 do so with impunity. Since 2000, 147 files have been closed at the Office de la langue française in Quebec. Its hands were tied because the companies were under federal jurisdiction. This figure includes only files arising from complaints. If no one complains, there is no file. So we can assume the number of delinquent businesses is greater.

This is taking place as a number of studies on the state of French in Quebec are being released. According to 2006 census figures, French has lost ground right across Canada, and in Quebec as well, even though more immigrants than ever speak French at home.

While the number of people with French as their mother tongue increased between 2001 and 2006, from 5.33 million to 6.29 million, their relative importance decreased, and they now represent only 22.1% of the population. This is from Statistics Canada. The figure was 22.9% in 2001 and 26.1% in 1971.

Private Members' Business

As regards the language used predominantly at home, the proportion of French is declining consistently, dropping from 26% in 1971 to 21% in 2006. The proportion of English rose in 2006 to the figure it stood at in 1971, of 67%. This figure reached 69% in 1986, shortly before the strong influx of immigrants speaking other languages. In the light of these figures, we cannot sit idle. Quebecers, it is true, must do their part to change things.

I congratulate the leader of the Parti québécois on her courage in introducing a bill in the National Assembly on Quebec identity. The media made a great deal about it. This bill, to its credit, dares to look the facts in the face. It proposes better teaching of French to ensure the quality of French written and spoken in Quebec and promotes an understanding of Quebec's history, a mastery of spoken and written French and the enhancement of Quebec culture.

The bill on Quebec identity aims to help Quebec express its identity, through the passage of legislative provisions to ensure the preeminence of the French language as the language of work and economic activities and education in Quebec. Legislation will be passed to ensure the quality of written and spoken French in Quebec. I am proud to recognize and pay tribute to this initiative.

Bill C-482 will require the federal government to recognize the Charter of the French Language within Quebec and extend its application to businesses under federal jurisdiction.

An amendment to the Official Languages Act is needed to eliminate all ambiguity. It must be clear in the act that French is the official language of Quebec. We therefore consider it important to amend the preamble so that it provides that the federal government recognizes that French is the official language of Quebec and the common language in Quebec.

• (1800)

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): Mr. Speaker, Bill C-482 proposes to amend the Official Languages Act, among other legislation. This bill seems to assume that the Official Languages Act is a barrier to the promotion and use of French in Quebec. And yet the last census, in 2006, disclosed a number of positive developments in this regard, such as the fact that a majority of recent immigrants, 75%, have adopted French, and that the proportion of the population that knows French has now reached 94.5%.

How can the Bloc Québécois demonstrate that the Official Languages Act and the existing rules governing language amount to an obstruction of the French fact in Quebec?

Ms. Pauline Picard: Mr. Speaker, I am truly amazed that a Quebecer could ask me that question, while citing completely inaccurate figures. I have just spoken about this. The number of people who have French as their first language rose between 2001 and 2006, from 5.33 million to 6.29 million. Their relative weight fell, and they now represent only 22.1% of the population, according to Statistics Canada.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I would like to congratulate my colleague for her excellent speech. I would like to ask her this question. We know that the purpose of Bill C-482 is to amend the Official Languages Act, the Canada Labour Code and the Canada Business Corporations Act. We also know that the

Conservative Party in fact tried to prevent this debate from being held, claiming that the bill was anti-constitutional.

I would like to hear my colleague's opinion about its so-called anti-constitutional nature, which in the final analysis does not exist. The Conservative Party alone has objected to it being discussed here. That party, which supposedly recognizes the Quebec nation, has fought with all its might to try to prevent this debate from taking place.

Ms. Pauline Picard: Mr. Speaker, I would like to read the following:

Bill C-482 in no way conflicts with any constitutional guarantee relating to languages. On the contrary, it respects and promotes constitutional standards in this area. That bill also does not violate any principle governing the division of powers in our federation. On the contrary, it seeks to take advantage of one of the recognized means of promoting cooperative federalism. Therefore, Bill C-482 is airtight in terms of its constitutionality.

This is dated December 19, 2007, by Henri Brun, a professor of constitutional law.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, I would like to put a question to the hon. member. Before tabling her bill, did she conduct an independent review showing that the provisions of the Official Languages Act are at odds with the Charter of the French Language? I remind her that the preamble of that charter provides that the National Assembly "is resolved to make of French the language of Government and the Law, as well as the normal and everyday language of work, instruction, communication, commerce and business".

Has the hon. member proven that the federal Official Languages Act and the Charter of the French Language are incompatible? Has she researched that aspect, and could she take a few minutes to explain to us whether her bill is based on material that could be useful to all parties here?

• (1805)

Ms. Pauline Picard: Mr. Speaker, the hon. member is asking me the exact same question as my colleague on the constitutionality of the bill. The fact is that a number of studies were conducted. We did our homework. Before introducing Bill C-482, we did reviews, we worked, we conducted studies, and we heard stakeholders. The bill in no way conflicts with any constitutional guarantee relating to languages.

I repeat what professor Henri Brun, who is an eminent lawyer and professor of constitutional law, said himself. In his review of the bill, he stated the following:

Bill C-482 in no way conflicts with any constitutional guarantee relating to languages. On the contrary, it respects and promotes constitutional standards in this area. That bill also does not violate any principle governing the division of powers in our federation. On the contrary, it seeks to take advantage of one of the recognized means of promoting cooperative federalism. Therefore, Bill C-482 is airtight in terms of its constitutionality.

I would like to add that—

The Deputy Speaker: Resuming debate. The hon. Parliamentary Secretary to the Prime Minister and for Status of Women.

Mrs. Sylvie Boucher (Parliamentary Secretary to the Prime Minister and for Status of Women, CPC): Mr. Speaker, we are here today to debate the bill tabled by the member for Drummond.

Private Members' Business

The bill proposes to amend three federal acts. It is based on the premise that the Government of Canada is impeding the growth of French in Quebec as well as its arts and culture.

Nothing could be further from the truth. Indeed, the government is promoting and solidly supporting Quebec's arts and culture, as well as the French language, in many ways.

Today, I want to emphasize the role that the cultural institutions and programs of the Government of Canada have played, and continue to play, in relation to the French language and the cultural vitality of Quebec.

Bill C-482 seeks to require the Government of Canada to undertake not to obstruct the application of the Charter of the French Language in Quebec. Bill C-482 would amend the Official Languages Act, the Canada Labour Code and the Canada Business Corporations Act, would make French the official language of Quebec and would recognize the Charter of the French Language as the governing legislation on questions of language in Quebec. Before considering amendments to existing legislation, I believe it is important to look at the system that is now in place.

The Official Languages Act states that “English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.” Canada is made up of three territories and 10 provinces, including Quebec, in which, by virtue of the Official Languages Act, English and French enjoy equal status. The Canada Labour Code and the Canada Business Corporations Act apply to all of Canada in fields under federal jurisdiction, while the Official Languages Act applies only to federal institutions.

According to the Department of Canadian Heritage Act, the department is responsible for programs and policies dealing with the arts and culture. It is also responsible for implementing many of the Government of Canada's commitments related to official languages, pursuant to sections 41, 42, and 43 of the Official Languages Act. Its mandate includes the responsibility to ensure that the cultural and linguistic needs of communities that fall within the federal sphere are supported all across Canada, including the needs related to the French language and cultural diversity in Quebec. These programs, policies and tools help Quebec to remain competitive and contribute to the growth of its artistic and cultural sector, in addition to ensuring the vitality of the French language within Quebec and throughout Canada.

Our government has played an active role in this success, and the range of measures available—including funding programs—provides equal opportunities for all Canadians.

The bill before us suggests that existing federal legislation is an obstruction to the French language and culture in Quebec. And yet through various federal programs, the Government of Canada provides Quebec with extensive support in the area of culture. Those federal programs stimulate the development, sharing and promotion of the French language in Quebec, throughout Canada and everywhere in the world.

We need only think of the support given by the federal government to Radio-Canada, an important link in the extraordinary cultural success that Quebeckers enjoy in the audiovisual and

broadcasting industries. Radio-Canada, which is funded by a federal government program, offers high-quality cultural content in French, presenting francophone talent from Quebec and other francophone regions to the general public. Radio-Canada also provides news broadcasts in French on its specialized television network, Réseau de l'information, RDI.

We would also point out that for many years the Canada Council for the Arts has supported the extraordinary artistic development that has occurred in Quebec in the fields of dance, theatre, literature and audio recording.

● (1810)

The Department of Canadian Heritage administers impressive federal programs providing grants and contributions for the arts in Quebec and in French, through arts presentation Canada, cultural capitals of Canada, cultural spaces Canada, the national arts training contribution program and the Canadian arts and heritage sustainability program.

The Government of Canada as a whole promotes the culture of Quebec by investing in artistic creativity and development. Through these activities, francophone artists and creators express their thoughts, showcase our differences and celebrate our similarities.

In 2006 and 2007, the Canada Council for the Arts granted over \$44.5 million to the arts in Quebec. Cultural Capitals of Canada approved the payment of \$1.9 million to five municipalities in Quebec that are organizing special activities they will use to harness the many benefits of arts and culture in the community.

The goal of Cultural Spaces Canada is to improve the physical conditions for artistic creativity and innovation and to improve access to performing arts, visual arts, media arts and museum collections and heritage displays. In 2006 and 2007, 32 projects were funded in Quebec. In the last six years, the financial assistance injected by Cultural Spaces Canada into that province has risen from nearly \$3.7 million to over \$6.4 million.

The National Arts Training Contribution Program assists organizations training Canadians seeking a professional career nationally or internationally in the arts. In 2006 and 2007, it supported 10 training facilities in Quebec alone.

The Canadian Arts and Heritage Sustainability Program aims to strengthen organizational effectiveness and build capacity of arts and heritage organizations. The Montreal Symphony Orchestra, for instance, has received nearly \$3.3 million in staffing funds from the federal government, and the Grands Ballets Canadiens has received over \$2.6 million.

We must not forget that Canadian Heritage and the organizations it funds support the creation of Canadian content and access to artistic excellence, promoting innovation. In 2006 and 2007, the Canada Music Fund paid out \$11.1 million to 837 recipients in Quebec. Nearly half of the funding it provides goes to French-language artists living in Quebec, such as Pierre Lapointe, Daniel Bélanger, Ariane Moffat, Kaïn and Les Trois Accords, all of whom received assistance from the Canada Music Fund. The Canada Feature Film Fund provided funding for the 10 top French-Canadian films in 2007.

The federal government has generously invested for years in Quebec so much so that Telefilm Canada and the National Film Board both have their headquarters there.

The Canadian Television Fund has a mandate, through its contribution agreement with Canadian Heritage, to fund projects in French, English and Aboriginal languages. Approximately a third of its program commitments involved French productions, 90% of which come from Quebec.

In conclusion, all the information provided here converges on a single point. We sing, we tell stories, we publish, we surf the Net and we grow—all in French. These activities are made possible in large extent thanks to the help the federal government is providing to actively promote the vitality of the French language.

To conclude, given the federal government's commitment to fully support French culture and language in Quebec, we must question the merits of Bill C-482.

● (1815)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, as has been said, Bill C-482, which was introduced by the member for Drummond, would amend three acts: the Official Languages Act, the Canada Labour Code and the Canada Business Corporations Act. If these amendments were to pass, their effect would be to give precedence to the Charter of the French Language within Quebec, and the three acts in question would therefore be subject to that charter.

To begin with, it is important to quote the Official Languages Act and give a very quick sketch of its history—of course, we cannot do justice to the complexity of this question in 10 minutes.

The act grew out of the situation that existed in Canada in the early 1960s, when it was observed that French was being given short shrift. That observation prompted Prime Minister Pearson to create the Royal Commission on Bilingualism and Biculturalism, the Laurendeau-Dunton commission, which led directly to the proposal that later became the Official Languages Act, enacted by this Parliament in 1969. Since then, the act has been defined by the courts as quasi-constitutional.

We should also note that amendments were made to the act in 1988, including the amendment that committed the federal government to “enhancing the vitality and supporting the development of English and French linguistic minority communities”. Further amendments in 2005 required federal institutions to “ensure that positive measures are taken for the implementation” of those commitments.

Private Members' Business

Since this legislation was enacted, over 35 years ago, it has truly become an indispensable beacon, lighting our collective way when it comes to official languages in Canada.

While both French and English are official languages of Canada, the reality is that, in North America, English is not threatened in any way. That is a fact that has to be recognized. The same cannot be said of French, which has to be protected. Successive governments in this place, in Quebec and, recently, even in provinces other than Quebec have realized that they do have a role to play in protecting the French language and culture in Canada.

As a francophone living in Ontario and having sometimes had to endure unacceptable conditions, I completely understand this sensitivity, this desire to protect the French language and culture. I am therefore not insensitive to the desire of francophones in Quebec and their successive governments to protect and promote the French language and culture.

This, however, has to be done in complete respect for our laws and constitutional principles. I will refer to a few legislative provisions, including the preamble of the Official Languages Act, section 16(1), and perhaps also section 21, of the Canadian Charter of Rights and Freedoms, as well as to the 1998 decision of the Supreme Court of Canada in the Quebec secession reference.

Let us start with the preamble of the Official Languages Act. It is a lengthy preamble, but I will only quote the most interesting part:

The purpose of this Act is to

(a) ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions—

In debate and in speeches, the Bloc Québécois argues that this is not binding. That statement in itself would make for an interesting debate, but I will move on.

In response to a question, the hon. member for Drummond said among other things that consultations had been held and everyone appeared to be in agreement. I think, however, that if we checked with the Commissioner of Official Languages of Canada, we would hear something quite a bit different. The official languages commissioner told the Bloc Québécois he had huge reservations about the bill, as drafted. That ought to be taken into account.

In addition to this brief passage from the preamble to the Official Languages Act, I would like to quote subsection 16(1) of the Canadian Charter of Rights and Freedoms.

English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

Subsection 16(3) states:

Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French.

● (1820)

It is very important to recognize that we are now referring to the Canadian Constitution and the Charter of Rights and Freedoms and not the preamble of a quasi-constitutional law. The Constitution is authoritative. We must respect it, and the Government of Canada cannot divest itself of its obligations under the Charter of Rights and Freedoms. We must remember this.

Private Members' Business

I will now examine the constitutional principles referred to in the Supreme Court ruling concerning the reference on Quebec secession. The court made sure it examined what are referred to as the constitutional principles. Although often implicit, these are the underlying principles of our Constitution. I will quote a passage from page 40 of the ruling.

These principles may give rise to very abstract and general obligations, or they may be more specific and precise in nature. The principles are not merely descriptive, but are also invested with a powerful normative force, and are binding upon both courts and governments.

The following quote is from page 50 of the Supreme Court ruling.

An understanding of the scope and importance of the principles of the rule of law and constitutionalism is aided by acknowledging explicitly why a constitution is entrenched beyond the reach of simple majority rule. There are three overlapping reasons.

First, a constitution may provide an added safeguard for fundamental human rights and individual freedoms which might otherwise be susceptible to government interference. Although democratic government is generally solicitous of those rights, there are occasions when the majority will be tempted to ignore fundamental rights in order to accomplish collective goals more easily or effectively. Constitutional entrenchment ensures that those rights will be given due regard and protection. Second, a constitution may seek to ensure that vulnerable minority groups are endowed with the institutions and rights necessary to maintain and promote their identities against the assimilative pressures of the majority. And third, a constitution may provide for a division of political power that allocates political power amongst different levels of government. That purpose would be defeated if one of those democratically elected levels of government could usurp the powers of the other simply by exercising its legislative power to allocate additional political power to itself unilaterally.

The last quote from this Supreme Court decision is found on page 54. It reads as follows:

The concern of our courts and governments to protect minorities has been prominent in recent years, particularly following the enactment of the Charter. Undoubtedly, one of the key considerations motivating the enactment of the Charter, and the process of constitutional judicial review that it entails, is the protection of minorities. However, it should not be forgotten that the protection of minority rights had a long history before the enactment of the Charter. Indeed, the protection of minority rights was clearly an essential consideration in the design of our constitutional structure even at the time of Confederation.

The purpose of these quotations is to put this debate back into a constitutional context, which cannot be overlooked. I also sought and obtained legal opinions. As the official opposition critic for official languages, I cannot support this bill. I recognize that, in terms of language of work, there may be a legal void. However, I believe it is up to the Government of Canada to fill that void and not mix public corporations, such as the Canadian Broadcasting Corporation, ports, airports and Air Canada, which are subject to the legislation, with banks, transport companies and telecommunications companies. If there is a legal void, and I think there is, it is up to the federal government to fill it.

Nevertheless, accepting the amendments proposed would go against the Constitution, potentially threaten the anglophone minority in Quebec and create the precedent that the hon. member for Drummond tried to deny. We might then see other provincial governments in Canada ask for the same treatment, thereby also endangering the francophone minorities.

•(1825)

As the official opposition critic for official languages, I will vote against this bill.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I am pleased to address Bill C-482, sponsored by the hon. member for Drummond. This is a really important issue, particularly for Quebecers, who have the benefit of Bill 101, not to mention the fact that the Canada Labour Code not only gives priority to French, but makes it the language of work. I can understand that.

However, there is something that bothers me when it comes to the federal level. Here, Bloc Québécois members are experts. They have become experts at telling the federal government that it should not get involved in provincial jurisdictions, that it has no business in these areas, and that it is up to Quebec to decide what must be done in provincial jurisdictions. I can never say it often enough.

Now, we are talking about a federal jurisdiction. The bill introduced by the Bloc Québécois provides that French should be the official language of Quebec and the common language in that province. It amends the Canada Labour Code to provide that federal businesses carrying on activities in Quebec will be subject to the requirements of the Charter of the French Language. The bill also amends the Canada Business Corporations Act, so that the name of a corporation that carries on business in Quebec shall be in a form that meets the requirements of the Charter of the French Language.

The hon. member for Ottawa—Vanier mentioned an aspect related to the Official Languages Act, the Constitution, and so on. However, I do not want to get on this theme, because these things have already been mentioned. Moreover, testimonies on this issue are along the same lines.

The member for Drummond said that the use of French is on a downward slope, in Quebec and across Canada. I agree with her on this. That is indeed the case. Perhaps we should wonder why that is the case. Why is French losing ground in Canada?

I think that gains were made in Canada. For example, francophones have made gains, thanks to the court challenges program. They have gained French schools in Prince Edward Island and in Nova Scotia. In Ontario, we can think of Boréal College, in Sudbury, and the Montfort Hospital, in Ottawa.

The court challenges program was the tool provided to minorities—whether the French minority outside Quebec, or the English minority in Quebec—to allow them to seek justice before the courts regarding their equality rights, including their linguistic rights.

There were successes everywhere, in Manitoba, in Saskatchewan and in British Columbia. In fact, wherever the Standing Committee on Official Languages travelled for its study, people and community representatives told us clearly that gains had been made thanks to the court challenges program.

The Conservative government decided, however, to deprive minorities of the instrument that enabled them to go before the courts to safeguard their rights, the instrument that enabled them to have their schools. That is regrettable. Some \$2 million is involved. It is sad.

Something else is regrettable too. In 2003, under the Liberals, the federal government established a strategy. The Library of Parliament provided us with the data. They have been checked. They are accurate in our opinion, because they come from the Library of Parliament and have been checked again. There were regular programs of study in the minority regions. At the time, the Liberal government under Jean Chrétien said it would establish a strategy in addition to the regular programs.

• (1830)

We saw that more funds were invested in the strategy in 2002-03.

For teaching in the minority language regions, the federal government had promised \$209 million. Each year, the money allocated to the strategy increased. A surplus amount was allocated even to help with teaching in the minority regions or minority communities. The regular program, however, faced a reduction. The federal government was to have invested some \$750 million in the regular teaching program by the end of five years, but it spent \$500 million. Subsequently, the Liberals boasted that they had spent an extra \$50 million on the strategy, making them appear to be good Samaritans.

In Quebec, for example, in recent weeks, it has been reported in the news that the Charest government and others have been saying clearly that more money was needed so anglophones and immigrants could learn French. If this money had been transferred—the \$132 million the government took from the regular program, in fact, wanting us to think it had provided money for the strategy—it could have helped the minority facilities and communities with the teaching of the official language of the country and of the province of Quebec. But no, that money was taken away, just like that.

You have to wonder. Other comments were also made. The proposed amendments to the Official Languages Act raise some legal issues. First, it is difficult to discern the restrictions imposed by the new measures added to the Official Languages Act by Bill C-482. As the member for Ottawa—Vanier was saying, subsection 16(1) of the Canadian Charter of Rights and Freedoms enshrines the principle that French and English are the official languages of Canada.

The Bloc Québécois bill makes us wonder what would happen in private industry. Take Air Canada, for example. The Bloc Québécois members fought very hard with us over the fact that Air Canada should be a bilingual company. Are they saying that Air Canada will no longer be bilingual? Are they saying that flight attendants and pilots who leave Ottawa and arrive at Quebec's border—they will say I am exaggerating—will have to switch languages in mid-air and speak French? Must we switch languages because we have crossed the Quebec border?

Are the Bloc members saying that when the VIA Rail train leaves Toronto and arrives on the outskirts of Valleyfield, Quebec, the employees will have to speak French?

I am talking about federal institutions. Let us imagine that someone who works in a federal institution is transferred from Toronto to a job in Montreal. If that person does not speak French, will he lose his job?

Private Members' Business

These are important matters that we must address. We must pay attention to this. Personally, I believe there are two peoples in Canada. In fact, there are three peoples, four peoples, even five peoples if we count the Acadian people. We can keep naming peoples or nations, but the point is that we have to respect our languages and cultures.

We will study all of this. There are questions that need to be answered. We should be able to study the bill. The only way to do so is to vote in favour of the bill at second reading so we can listen to experts and the Commissioner of Official Languages. He could study the bill with us. Let us listen to the lawyers and the people who know the Constitution, and get their advice on how to proceed. If the bill does not seem like a good bill, then vote against it. However, if you can live with the bill, vote in favour of it.

The NDP will vote in favour of this bill. I want to be clear that this bill will be studied only if we vote in favour of it. Parliament is not here to pass bills at first reading. There is first reading, second reading, and then third reading. We are here to study bills. That is why the NDP is recommending that we study the bill. Then we will make a final decision at third reading.

• (1835)

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, Bill C-482 aims to force the federal government to comply with Bill 101 within Quebec. I refer to the Quebec nation recognized in this very place in November 2006. It was recognized as well on a number of occasions in the National Assembly of Quebec. We are a nation and want to be treated as one.

Bill C-482 aims to amend the Official Languages Act, the Canada Labour Code and the Canada Business Corporations Act.

In the light of my remarks, when the House of Commons recognized the Quebec nation in November 2006, the Bloc Québécois contended vigorously that recognition meant consequences and that symbolic recognition alone would not suffice. Months ago, now, the Conservatives and the Prime Minister congratulated themselves on recognizing the obvious, namely that we existed. It is now time for Conservatives and other Canadian parties to act. We are giving them the opportunity.

The first specific step required is recognition in fact that Quebecers comprise a francophone nation in North America. If the Canadian parties mean this recognition, they will have to understand that the Quebec nation and the French language go hand in hand. Recognition of one is recognition of the other, hence Bill C-482.

The Quebec nation has established an instrument to ensure that French is the common public language, the Charter of the French Language, or, Bill 101, if you will. What people often forget is that Bill 101 does not exist as far as Ottawa is concerned, and so sectors under federal jurisdiction are exempt from its application, and that means in Quebec as well.

Adjournment Proceedings

Banks, for example, telecommunications companies, inter-provincial transport companies, ports and airports can avoid compliance with Bill 101. The Bloc Québécois therefore introduced amendments to the Canada Labour Code so that these operations may be subject to the charter with respect to language of work.

The Official Languages Act contradicts Bill 101 by promoting English and French in Quebec as well. We are not a bilingual nation. Quebec is a francophone nation. We thus introduced the amendments to this legislation so the federal government would recognize that French is the official language of Quebec and would commit to recognizing the Charter of the French Language and respecting its application throughout Quebec.

Contrary to what the Conservatives have been saying, the Bloc Québécois obviously is not asking the federal government to intervene in linguistic matters in Quebec. All that we ask is that the federal government respect the Charter of the French Language.

To ensure the full application of Bill 101, it would be necessary to amend the Constitution, which seems to be impossible in Canada. The Bloc Québécois' willingness to amend federal legislation, which can easily be done with a little political good will, shows the reasonable nature of our objectives.

There are some precedents. The federal government has exclusive jurisdiction over its employees. The Government Employees Compensation Act provides that the legislation of the province where the employee is usually employed will be the applicable law for compensation of a work-related injury. As a result, by virtue of the federal act, it is the Quebec legislation respecting industrial accidents and occupational diseases that applies to workers in Quebec.

The Canada Labour Code also provides for the federal government to take account of provincial laws in establishing the minimum wage. If it is possible to adapt federal laws in terms of compensation and the minimum wage, how can anyone justify refusing to adapt federal laws concerning language, which is a more fundamental matter for the Quebec nation?

● (1840)

The amendments introduced here by the Bloc Québécois would have the effect of requiring the federal government to undertake not to obstruct the objectives of the Charter of the French Language. It is important to remember that recognition of the Charter of the French Language in no way diminishes the rights and privileges of Quebec's anglophone minority as provided by the Canadian Charter of Rights and Freedoms. These amendments simply limit the power of the federal government to intervene in Quebec's language policy.

Specific reference to a provincial act in the text of a federal act is possible. We are talking about a statutory reference. That means that the government recognizes the provisions made by another Canadian legislative assembly. There is another instrument that could be used to amend an act. It is called incorporation by reference; that is another tool that can be used.

Federal undertakings or enterprises under federal jurisdiction are specifically not affected by the Charter of the French Language in relation to language of work. Some companies choose to comply with the charter, but that is done on a voluntary basis. Accordingly,

our amendment specifies, "Any federal work, undertaking or business carrying on activities in Quebec is subject to the requirements of the Charter of the French Language." That provision responds to the demand made in the Larose report of 2001, which stated, and I quote:

The francization of the workplace in Quebec also concerns the workplace of the federal government and workplaces under federal jurisdiction. That is why the Government of Canada should take the necessary measures to ensure that these workplaces respect language legislation when they are in Quebec.

This amendment would eliminate the legal void that enables federal companies to flout the Charter of the French Language when it comes to the language of work. It is important, though, to note that many federal companies decide on their own to abide by the francization programs of the Office québécois de la langue française.

Nevertheless, some federal companies fail to comply with Bill 101 and do so with impunity. Since 2000, some 147 files have been closed at the Office québécois de la langue française because it could not do anything in view of the fact that the companies were under federal jurisdiction. These figures refer only to files that were opened in response to complaints. If no one complains, no file is opened. We can conclude, therefore, that the number of delinquent firms was probably higher.

The Bloc Québécois bill will also amend the Canada Business Corporations Act so as to ensure that corporate names comply with the Charter of the French Language. Corporate names have been the subject of 1,434 complaints since 2000.

This amendment will ensure that Quebec businesses that decide to register in Ottawa rather than Quebec are subject to the Charter of the French Language.

I would remind the House that the Canadian Charter of Rights and Freedoms, which Pierre Elliott Trudeau imposed on Quebec in 1982, aimed above all to counter Bill 101. As Mr. Trudeau's former advisor André Burelle wrote: "Make no mistake; the purpose of Mr. Trudeau's charter was to neutralize Bill 101. In the charter, language rights are elevated to the rank of fundamental rights of individuals that are safeguarded from the notwithstanding clause, while other human rights, even the most basic ones, are subject to the notwithstanding clause."

It is very important to say that today, with Bill C-482, we are reaching out to the federal government, hoping it will recognize that in Quebec, these institutions must abide by the Charter of the French Language above any other official language legislation. The Quebec nation exists. It is a francophone nation in the Americas. That is what we are and what we want to remain.

● (1845)

The Deputy Speaker: 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.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

Adjournment Proceedings

[English]

DARFUR

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, two months ago in this House, we commemorated International Genocide Day and International Human Rights Day. At that time, I spoke of the fact that the first genocide in the 21st century was continuing to find expression in Darfur and that the number one humanitarian catastrophe of our time today was in Darfur.

I asked the government if it would commit itself to combat these mass atrocities and the genocide by attrition in Darfur. I asked if it would commit itself to peace and security in Sudan as the first human rights foreign policy priority of the government and this country. I asked if it would engage in concrete involvement to stop the killing.

In particular, I asked, "Will it, for example, provide the necessary resources, equipment, logistical support...the force multipliers" for the expeditious and effective deployment of the UN African Union protection force?

As the commander has said, the force was to be deployed by the end of December 2007, yet he did not know how many troop contributions he had. He did not have one helicopter. Not one country had yet pledged even one helicopter. This is against a backdrop of 400,000 already dead, 2.5 million people displaced, 4 million people on humanitarian assistance, and mass atrocities continuing unabated.

Two months later, not only has the situation deteriorated, but the Sudanese government, responsible for the killing fields to begin with, is actively blocking any and all initiatives to stop the killing and secure the peace.

First, the Khartoum government has blocked the effective deployment of any international protection force, refusing to accept, for example, non-African peacekeepers, limiting the use of helicopters, limiting the use of access and the like, and even attacking, as it did the initial deployment of the peacekeeping force to begin with.

Second, the Sudanese government not only refuses to surrender the génocidaires indicted by the International Criminal Court but, in a mocking reaction to the arrest warrants, actively promotes the génocidaires to senior government positions in Sudan.

Third, it not only blocks delivery of humanitarian aid, but just last week attacked the humanitarian aid workers themselves and hijacked the trucks delivering the food.

It not only denies any security to the internal displaced persons camps but actively engages in ethnic cleansing in that regard.

I could go on.

So this is my question to the government at this point: what will it do to help ensure that the international United Nations African Union peacekeeping force can be effectively and expeditiously deployed as quickly as possible? Will it not only help to ensure that the Sudanese government is no longer engaged in blocking the deployment of this force but also help to work with the international community to mobilize the necessary troop contributions that are

still wanting and the necessary equipment that is still missing? As I mentioned, helicopters have not even been pledged for this mission.

Will the government help to assist in the promotion of the peace processes, both with regard to Darfur and with regard to southern Sudan? Both the Darfur peace agreement and the comprehensive peace agreement are in danger of unravelling.

Will it help—

● (1850)

The Deputy Speaker: The hon. Parliamentary Secretary to the Minister of Foreign Affairs.

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I know the member for Mount Royal is very much engaged on this file. As part of the efforts of Canada's Parliament, as well as parliamentarians on this side of the House, we are working with him and his colleagues to ensure that this issue regarding Darfur remains in the public domain. Members have been pressuring the government to carry on working toward bringing the situation in Sudan under control.

I attended a conference at the UN on Darfur and talked about many of the issues that my colleague has raised.

Canada is heavily engaged in Sudan. Since 2004, Canada has given \$414 million for UN peacekeeping forces as well as the humanitarian effort. We will continue to do that.

I can assure the member that we will continue to work with the international community to bring more pressure on the government of Sudan to accept the UN peacekeeping forces as mandated by the UN Security Council.

Canada was at the forefront at the United Nations human rights council. We want to ensure that Sudan's human rights record remains under scrutiny all the time. We have repeatedly called on the government of Sudan to cooperate with the international criminal code with respect to the two Sudanese my colleague is talking about who have been indicted by the International Court of Justice.

Canada is working with both the UN forces and the African Union forces. As a matter of fact, we have pledged money to the UN until it is able to get all the resources it requires. We have extended the leases for the helicopters for the African Union.

The UN is facing challenges in trying to bring that force together. Secretary General Ban Ki-moon, with whom I have talked on many occasions, is working hard to ensure that those UN forces are there, but it is a challenge.

The United Nations is an expert in these kinds of issues. It has the knowledge on setting up peacekeeping missions. It has its own standards. It has its own department to take care of these things.

Canada is waiting for the UN to tell us what it wants. We cannot tell it what to do. It is for the UN, through its peacekeeping division, to tell us what it wants and what we can do to help.

Adjournment Proceedings

The UN has asked Canada to carry on supplying the helicopters for the African Union and we have agreed. Originally, the UN had told us it did not want our helicopters, but as has been rightly pointed out, the UN is facing challenges, so we will continue with the lease program so the UN forces can use them.

The government of Sudan is putting up a lot of roadblocks with respect to this issue. We do not expect the government of Sudan to suddenly welcome all these forces considering its record in the past. However, we are cooperatively working with the international community. We have been at all the peace talks that have taken place and will continue to do that.

I assure the member that Canada will ensure that this issue of Darfur is addressed as quickly as possible.

•(1855)

Hon. Irwin Cotler: Mr. Speaker, the hon. member opposite referenced the fact that the United Nations is itself responsible and accountable, and knows what needs to be done.

Several days ago the director of United Nations peacekeeping acknowledged that the African Union and the United Nations protection force will not be deployed if things continue as they are. He does not see this force being deployed until the end of 2008, yet it was to have been deployed by the end of 2007.

That means that the killing fields will continue to go on for another year in the absence of the effective deployment of the United Nations peacekeeping force.

I appeal to the government to make the question of the genocide in Darfur its number one foreign policy priority. I appeal to the government, that every time it speaks to the issue of foreign policy, to make the tragedy in Darfur its number one compelling priority.

Mr. Deepak Obhrai: Mr. Speaker, I assure the hon. member that he knows that human rights is the number one policy of the government. The Prime Minister has stated on many occasions that our government will take a principled stand on human rights abuse around the world and for that reason we have been very active on the international scene, including the UN.

Yes, the UN director general has said that the UN is facing challenges in line with the African Union, but we are all working together to ensure, and I agree with him, that the quicker the deployment takes place the better it is and the killing fields, as he mentioned, will stop.

We will continue working on it, but I can assure him that this government will, and that is part of our priority, work very hard on the issue of human rights.

[*Translation*]

OFFICIAL LANGUAGES

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, in November 2006, when the House of Commons recognized the Quebec nation, the Bloc Québécois emphatically pointed out that that recognition had to have consequences, that there could not simply be purely symbolic recognition.

The Conservatives and the Prime Minister himself have been congratulating themselves for months now on recognizing the fact

that we exist. It is now time for the Conservatives and the other Canadian parties to walk the talk, and we are giving them the chance to do just that.

The first concrete action that must be taken is to recognize that in fact Quebecers form a francophone nation in America. If the Canadian parties are consistent in that recognition, they will have to understand that the Quebec nation and the French language are inseparably connected. Recognizing one means recognizing the other, hence our Bill C-482

The Quebec nation has developed a tool for ensuring that French is the common public language: the Charter of the French Language or Bill 101. We often forget, though, that insofar as Ottawa is concerned, Bill 101 does not exist. As a result, areas under federal jurisdiction are exempted, including within Quebec.

For example, banks, telecommunication firms, interprovincial transportation companies such as CN and CP, ports and airports are exempt from Bill 101.

The Bloc Québécois therefore tabled amendments to the Canada Labour Code requiring these businesses to comply with the provisions of the Charter when it comes to language of work.

The Official Languages Act contradicts Bill 101 by promoting the use of both English and French even in Quebec. We are not a bilingual nation; we are a francophone nation. Therefore, we tabled amendments to this law to ensure that the federal government recognizes that French is the official language of Quebec and undertakes to recognize the Charter of the French Language and to respect its application in Quebec.

Contrary to what the Conservatives have suggested, the Bloc Québécois is obviously not asking the federal government to interfere in language issues in Quebec. All that we want is for the federal government to respect the Charter of the French Language.

To ensure that Bill 101 is applied across the board, including in all the institutions mentioned earlier that are subject to federal legislation, the Constitution will have to be amended, which it seems is impossible in Canada. The Bloc Québécois' desire to amend federal legislation—which could be done easily with a bit of political will—demonstrates that our objectives are reasonable.

There are some precedents. The federal government has exclusive jurisdiction over its employees. However, the Government Employees Compensation Act states that the legislation of the province where the worker is usually employed applies with respect to the compensation plan covering a work injury. Therefore, according to federal law, the Quebec law—the *Loi sur les accidents du travail et les maladies professionnelles*—applies.

The Canada Labour Code also requires the federal government to adjust to provincial legislation when setting the minimum wage. If it is possible to adjust federal legislation in terms of compensation and minimum wage, how can the government justify refusing to adjust the federal legislation on language, an issue that is even more fundamental for the Quebec nation?

Adjournment Proceedings

• (1900)

Mr. Pierre Lemieux (Parliamentary Secretary for Official Languages, CPC): Mr. Speaker, as my colleague said last week and as my colleagues have reiterated this evening, the Official Languages Act fosters the use of French and English within Canadian society.

The Government of Canada considers the reality of francophone Quebec in all of its actions, particularly in the implementation of the Official Languages Act. It fully takes into account Canadian linguistic duality, which it is committed to promoting in Quebec, as in the other provinces and territories.

This is evidenced by the current development of the renewal strategy for the official languages action plan, and by the numerous measures that have been taken. An important component of the Official Languages Act and the approach that will be taken is based on the principle of linguistic duality. The Government of Canada reiterated its support for linguistic duality and for the next phase of the action plan for official languages in the last throne speech.

[*English*]

Our government is a responsible government. We take the necessary actions in order to ensure that we make decisions that are in the best interests of our communities, as well as decisions that ensure that vitality of both French and English languages in our Canadian society.

Last December the Prime Minister and the Minister of Canadian Heritage, Status of Women and Official Languages announced the appointment of a special adviser on linguistic duality and official languages. Bernard Lord will report the results of his discussions that he has had with Canadians from coast to coast. Our government made a promise and we are keeping it.

The findings of regional and online consultations were used by Mr. Lord to facilitate discussions with the national office language stakeholders at the wrap-up event held on January 24.

[*Translation*]

The Government of Canada is a dynamic partner that supports the French language and Quebec culture.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, for centuries, our people have been standing up for French. We have resisted every direct or indirect attempt at assimilation imposed by the British Empire and then by Canada. We have succeeded in turning around a situation where francophones were put in situation of political, economic and social inferiority.

We turned around a situation where new arrivals in Quebec became English speaking Canadians. Quebecers from every generation have fought for Bill 101.

Today, with Bill C-482, we are reaching out to the federal government and asking it to recognize that its institutions in Quebec must respect the Charter of the French Language above all official language legislation. The Quebec nation exists; it is a francophone nation in North America. That is who we are and who we want to continue to be.

Mr. Pierre Lemieux: Mr. Speaker, as I said, we are determined to promote official languages in Canada, and we are working to do so. Of course, this includes French right across Canada, but also in

Quebec. The Government of Canada considers the reality of francophone Quebec in all of its actions, particularly in the implementation of the Official Languages Act. This is evidenced by the current development of the renewal strategy for the official languages action plan, and by the numerous measures that have been taken.

• (1905)

[*English*]

Quite frankly, I am surprised at the position of my colleague. He is a member of the official languages committee and yet his very proposal is undermining official languages in the province of Quebec.

[*Translation*]

AIRBUS

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, this adjournment debate gives me an opportunity to go back to a question that I asked the government before the holidays.

I would like to begin with a few comments for the member who just rebuffed our Bloc Québécois colleague. I have to say that it takes some nerve for someone who cannot speak a single word of French without reading a prepared statement to blame a member who is just doing his job by trying to defend the French language in Canada.

He has nothing to learn from a government that, on the one hand, talks about recognizing the Quebec nation, and on the other, sends someone who has to read his responses in the House to tell us that we do not even have the right to talk about promoting the French language. I have found that a few months in Ottawa is all it takes to understand that recognition of two official languages is nothing more than a theory. The reality of the situation is something else entirely. The French language needs the support of all parliamentarians and will always need that support. The government has nothing to teach us in that respect.

And now for the question I asked the Minister of Public Safety in November. My question was actually for the Minister of National Defence, but he refused to answer, so his Public Safety colleague rose. The answer was very interesting.

My question was for the Minister of National Defence, who worked for Thyssen, a German company. If that name rings a bell, that is because it is one of the companies that the now-notorious Karlheinz Schreiber worked for. The Minister of National Defence worked for Thyssen, and I believe that his father, who was a Conservative member of Parliament and even a minister a while back, paid \$100,000 to bail out Karlheinz Schreiber.

The question was a simple one about government ethics. I wanted to know whether the current Minister of National Defence had taken part in cabinet discussions about Bear Head, Thyssen and Schreiber. He refused to answer. Ethically, he should have disclosed the conflict of interest and should have abstained from participating in those discussions in light of the close economic connections that may have existed not so long ago between the current minister and Mr. Schreiber.

Adjournment Proceedings

We did not get an answer. Instead, the Minister of Public Safety said that we would have to be patient and wait for an answer from David Johnston, who would provide what they are still calling the terms of reference for what they promised. The Minister of Public Safety made that promise formally in the House. He promised a full inquiry into the Airbus affair and the actions of Messrs. Mulroney and Schreiber.

What did we get instead? We got the Prime Minister's theories during his year-end interviews. He spoke to the journalist, but it sounded more like he was thinking aloud. He said that maybe now that Mr. Mulroney has testified, there would be no need to pursue all of these questions. What did we get a few days later in Mr. Johnston's report? He said that now that Mr. Mulroney has testified, there may be no need for all of that. Again today, they are saying that the final touches will probably be added once Mr. Johnston gives the terms of reference to the inquiry commission.

The second part of the question was about how to ensure that taxpayers would get their \$2.1 million back. That is the question we asked again today.

I would like to conclude by saying that when the Minister of Finance cavalierly breaks the rules for awarding contracts, when the government does not punish him as a result, and when the minister is not forced to face the consequences of his actions, we can see that there is many a slip—

[*English*]

The Deputy Speaker: The hon. parliamentary secretary to the government House leader.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, let me say to the member from the New Democratic Party that there is a very simple answer to his question about whether the Minister of National Defence had recused himself in any discussions about Mr. Schreiber and Mr. Mulroney that came up in cabinet. There were no such discussions. He certainly did not have to recuse himself because there was no need to recuse himself.

This is absolutely typical of members of the opposition when they are attempting to create a scandal where no scandal exists. We have heard the same sort of poppycock from the members of the Liberal Party, who again desperately for weeks upon weeks in question period were asking questions trying to find some smoking gun, trying to find some connection between the current Prime Minister and Karlheinz Schreiber.

In fact, when the ethics committee started discussing this very issue, I recall with great amusement when the Liberal Party brought in their hired gun, the official opposition House leader, who came in to ask the question that was going to blow the lid off this inquiry. He was there, he was primed and he said, "Mr. Schreiber, what contact did you ever have with the Prime Minister and when did you have it?"

Of course, Karlheinz Schreiber said, "I have never spoken with the man. I never had any conversation with him or any of his officials". Then the opposition House leader whimpered off into the sunset because he did not know the answer to the question before he

asked it, which I find astounding since the member for Wascana is a lawyer by profession.

The point I am trying to make is the fact that all opposition parties continually try to smear the government with invented scandals. In the Schreiber affair, as we all know, they are happenings of 15 to 20 years ago. There is no connection whatsoever to this government. There is no connection whatsoever to the current Prime Minister. There is no connection whatsoever to the Minister of National Defence.

I am sure that the member opposite and all members in opposition will continue to try to find fabricated and trumped up charges to try to smear the government in a sordid attempt to enhance their election chances whenever that election may be called.

● (1910)

[*Translation*]

Mr. Thomas Mulcair: Mr. Speaker, in Quebec, we have an expression that applies to people who think they are someone they are not. My Conservative government colleague seems to think he is a member of cabinet, but he is not at all.

[*English*]

My simple question for my colleague is, since he is not a member of cabinet, how could he possibly know what has been discussed in cabinet?

I think that is typical of the Conservatives. When they are faced with moral and ethical challenges, they deny, even when their denial lacks all plausibility, because they are not in a position to know the facts that their supposed denial is based on.

Suffice it to say that when there is a finance minister who has broken the rules on contract attribution and there is absolutely no consequence, as we saw again today, the Conservatives are not in a position to give lessons to anyone.

The member talks about supposed scandal. There is a real scandal and it is just one example.

With regard to Schreiber there is no way for the member to know if it was discussed at cabinet. All we asked is that he recuse himself. He was in a conflict.

Mr. Tom Lukiwski: Mr. Speaker, what Canadians do not need are any lessons on ethics or morality from the New Democratic Party.

That is a party, as an example, whose stated position is to immediately withdraw all troops, not just Canadian troops but NATO troops as well, from Afghanistan.

In other words, on the one hand, the NDP members always try to promote themselves as being the party that supports minorities, the party that steps up for the little people, for the oppressed. On the other hand, the NDP members are saying that we should take all troops out of the country. The consequence would be that the Taliban would once again take over the country, which is now turning into a viable democracy, and turn it back into the state it was when the Taliban had control; a state of total oppression, a state that absolutely disrespected women and children.

Adjournment Proceedings

In fact, before NATO sent its forces in, only 700,000 children went to school in Afghanistan, none of them young girls. That has improved greatly since our troops have been in there. The NDP wants to—

The Deputy Speaker: Order. I think I have seldom seen a late show that covered so many topics in one exchange.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:15 p.m.)

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