



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 238 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, April 23, 2013



Speaker: The Honourable Andrew Scheer

CONTENTS

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

HOUSE OF COMMONS

Tuesday, April 23, 2013

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(1005)

[*English*]

COMMITTEES OF THE HOUSE

CITIZENSHIP AND IMMIGRATION

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Citizenship and Immigration.

[*Translation*]

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Access to Information, Privacy and Ethics, entitled “Privacy and Social Media in the Age of Big Data”.

[*English*]

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I would like to specifically thank the member for Sherbrooke for his excellent leadership on the social media and privacy study because we know that Canadians are living more and more online. The importance of privacy and maintaining privacy protection in the age of big data is essential. The New Democrats were saddened that both the Conservatives and the Liberals dropped the ball on a number of serious areas, from what we heard at the committee.

We have numerous recommendations. The Privacy Commissioner should be given order-making powers to ensure compliance of companies that are not protecting people's data. We want to make sure that all data breaches are reported to the Privacy Commission as opposed to leaving them subjective because of the potential threat of fraud that people are facing. We want to ensure that Canada moves up with privacy protections in the digital age. We need a comprehensive digital strategy, and privacy is at the heart of it. I would like to thank my hon. colleagues for their work on this committee.

NAVIGABLE WATERS PROTECTION ACT

Mr. Dennis Bevington (Western Arctic, NDP) moved for leave to introduce Bill C-499, An Act to amend the Navigable Waters Protection Act (Alesk River and other rivers).

He said: Mr. Speaker, I am pleased to rise today to amend the Navigable Waters Protection Act to include a number of rivers throughout the three northern territories, rivers like the South Nahanni River. A number of years ago the Conservative government expanded the boundaries of Nahanni National Park and recognized the extreme importance of that area of Canada as a heritage area, an area to be protected. This is one of the rivers we are including within this bill to ensure as time goes forward that these rivers are given the type of protection that is required under the law that exists now. The law is not adequate, but this is the protection that we can provide for these rivers.

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

* * *

PETITIONS

CHIEF FIREARMS OFFICERS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, these petitioners, mostly from southern Ontario, ask that the provincial and territorial chief firearms officers be replaced by a civilian agency that is service-oriented.

[*Translation*]

CLIMATE CHANGE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I have the honour to rise today to present two petitions.

The first one deals with climate change. The petitioners are from Saltspring Island, in my riding.

[*English*]

They call for the House and the Government of Canada to put in place a plan to reduce emissions to those levels that are required by science—that is, 25% below 1990 levels by 2020 and 80% below 1990 levels by mid-century.

Government Orders

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents of Thunder Bay, Sudbury, and Winnipeg, calling on the Government of Canada to abandon its promotional stance toward the northern gateway project and ensure it has a full and neutral review, bearing in mind that so far the proponent has not dealt with the subject it plans to put through the pipelines, bitumen and diluent.

RADIONUCLIDE MONITORING

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I have a petition on behalf of numerous citizens who are concerned in the wake of the crippled Fukushima power plant in Japan that continues to release dangerous radioactive substances into the air and water, something that we expect will continue for years. The petitioners call on the Parliament of Canada to immediately implement a comprehensive, ongoing radionuclide monitoring report program in Canada in coordination with respective national, provincial, regional, and local authorities.

RIGHTS OF THE UNBORN

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I have two petitions to present today.

The first petition is signed by constituents who are calling upon Parliament to review Canada's 400-year-old definition of a "human being", which states that a child does not become a human being until the moment of complete birth.

The petitioners call upon Parliament to review that definition, to take into account modern science, and to revise that definition based upon modern science.

SEX SELECTION

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, the second petition deals with gender selection pregnancy termination.

The petitioners call upon Parliament to condemn the practice of gender selection termination, wherein a woman finds out through ultrasound that a child is female and aborts the child.

CANADA POST

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I have hundreds of signed petitions in which the petitioners are asking that the Olde Sandwich Towne post office be saved. Unfortunately, Canada Post has closed it. However, we are working with it to see if we can find another usage, and I know that the petitioners would support that.

Unfortunately, it is too late to save the post office, but at the same time, we are trying to work out a process to go forward that would benefit all of the community, including Canada Post.

● (1010)

RAIL TRANSPORTATION

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I have a second set of petitions to present, these with regard to higher-speed rail. Petitioners from across Ontario are calling for higher-speed rail between Windsor and Quebec City. That corridor is very important.

They want to see VIA Rail move to higher-speed rail in the near future.

OLD AGE SECURITY

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, last, I have a petition in which hundreds of petitioners are calling for the age of eligibility for old age security to remain at 65 years of age. The petitioners are opposed to the eligible age being increased to age 67.

HUMAN TRAFFICKING

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I rise today to present a petition signed by dozens of Canadians, not only from Guelph and southern Ontario but from across Canada, who wish to register their concern regarding human trafficking and the threat it poses to some of Canada's most vulnerable citizens, including youth, females, and first nations.

The petitioners call upon the Government of Canada to address this matter by developing and implementing a national action plan regarding human trafficking.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

COMBATING TERRORISM ACT

The House resumed from April 22 consideration of the motion that Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, be read the third time and passed.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I rise today to speak in opposition to Bill S-7 at third reading. I am doing so not without some soul-searching because I do believe that members of Parliament must address the issue of terrorism seriously. The question remains: is Bill S-7 the right way, and the right response to the threat of terrorism?

In my speech at second reading, I mentioned my personal and family connections to 9/11, a day when my mother was flying out of Washington, D.C. and one of my partner's close friends was flying out of Boston. My mother was fortunate and she was located, safe, later that night on the ground in Denver. However, my partner's friend was not so lucky in his choice of flights from Boston, and we were in the unfortunate situation of having to inform his parents in Indonesia that indeed their son had been on that second plane to hit a tower in New York.

Government Orders

What I did not talk about during second reading was my international human rights work. I have experience working where the threat of terrorism was a constant. I worked in the field in East Timor, in Ambon in Indonesia, and in Afghanistan. In each of these situations, bombing campaigns were a daily threat and all too often a daily reality. I have seen up close, communities torn apart by terrorist violence. I still remember the day in Ambon where my partner and I were working on a peace-building project between Christian and Muslim communities. That was the day that the market was bombed, and from our office we could see the smoke rising. That was the same market where my partner was supposed to be at that moment, but fortunately was late and was not there.

Therefore, I do have some understanding of the reality of terrorist threats, and I have always taken a clear and unequivocal position against terrorism. I have always said there was no justification, no excuse for the use of violence against civilians, none, never, and I fully believe that those who use terror should be met with the full force of the law. I take seriously that we must take measures that will protect us against terrorism, but I also believe we have an equal responsibility to preserve the rule of law and respect for our basic rights and freedoms. Otherwise, what is it that we are protecting? As so many of my colleagues have said, this is truly a question of balance. How do we protect our society in a way that protects its most fundamental values?

In my second reading speech, I spoke not just about my own experience, but also about the unfortunate history of the deportation of Japanese Canadians during World War II. When we look back now, it is very clear that fear, and fear alone, caused us to trample the rights of a minority in this country, using the War Measures Act, an act which the majority at the time argued was necessary to preserve our rights, despite the lack of any evidence at the time or subsequently that this was the case. I emphasize once again that not a single Japanese Canadian was ever charged, let alone convicted, of any collaboration with the enemy during World War II. However, our panic and our fear caused us to uproot a community and the lives of thousands of Canadians for no reason other than their heritage. This is a fear that I have, that we will make these same kinds of mistakes if we panic and adopt measures that would lead to the targeting of certain communities today based on their heritage.

Therein lies the dilemma. How do we keep communities safe without trampling the very rights that are the foundation of a free community and a tolerant society? Then the question is, what are those threats that I see to rights in Bill S-7? What do we in the NDP think is the problem with Bill S-7? There are two major problems, and one associated problem.

The two major problems are that investigative hearings and preventative detention both run against the grain of our fundamental rights in our legal system. Whether we view these measures through our British legal traditions, through our own Charter of Rights and Freedoms, or through Canada's international legal obligations under international covenants, both of these would challenge our fundamental values. Investigative hearings wreck the fundamental protections against self-incrimination that we have built into our system for 300 years. Preventative detention would violate the principle that one should be punished only for a specific wrongdoing. Bill S-7 would allow the incarceration for up to a year of

individuals never even charged with, let alone convicted of, a criminal offence, and, as we discovered in the debate in committee, the government intended for those provisions for preventative detention to be quite broad and to perhaps include people who were merely associated with or inadvertently giving assistance to those who might carry out a terrorist act. While intention is a fundamental element of a criminal act in Canadian law, intention alone has never before been the crime. Therefore, I find these two measures excessive and threatening of those basic rights and values.

• (1015)

In committee, New Democrats pointed out the most basic flaws of this legislation and introduced 18 amendments to address the most egregious problems. However, as usual, the Conservatives were having none of that. As we have seen time and time again in committee, despite statements to the contrary by ministers when they introduce legislation, Conservatives are not actually prepared to consider reasonable amendments at the committee stage, not even in the case of Bill S-7 when it came to an amendment that simply asked that the rights of children be protected under these two measures so that children might not be caught up in investigative hearings and preventive detentions. Not even that amendment on the rights of children were the Conservatives prepared to accept.

The third party, at the other end of the House, which initially introduced these two measures in 2001, not only failed to introduce any amendments of its own but also refused to support the NDP amendments. Now Bill S-7 is back in the House for third reading unamended.

The argument the Conservatives seem to be making in favour of Bill S-7, insofar as they are bothering to make any argument at all—and I should point out that we do not see Conservative members rising to try to convince both the opposition and the public that this measure is indeed necessary—is that if Bill S-7 does not pass, we will not be kept safe from terrorism and that we need investigative hearings, preventative detention and new measures to make it illegal to go abroad for the purposes of committing a terrorist act.

This necessity argument, I believe, fails on several grounds. First, as it is easy to point out, there were no successful uses of investigative hearings or preventive detention when they were previously in force. If they are so necessary to protect against terrorism, why were they not used? Why do we not have examples of how they contributed to that safety?

Government Orders

The second ground on which I would argue that the necessity argument fails is the actual record of the RCMP, which has been able to apprehend those involved in terrorism and get convictions in the absence of these extreme powers. Examples include the Khawaja case, the Toronto 18 and even the arrests just yesterday. If these powers were so necessary, how have the police been able to make such progress against terrorism over the last 12 years? If for 12 years we have appeared to get along well in the struggle against terrorism without these powers, where is the argument for their necessity now? I have heard no one on the other side actually make the argument, in any kind of fashion, that we must have Bill S-7 at this time to keep us safe.

Of course, when it comes to going abroad to engage in terrorist acts, anyone who looks closely at the existing law will find that it is already illegal to do so. Therefore, what is Bill S-7 adding to the existing law? It is really not clear to me why this new provision is there.

If the measures proposed in Bill S-7 are neither effective nor necessary, then are we, in fact, left helpless in the face of terrorism, as the Conservatives' insistence on passing this bill would imply? The timing of the reintroduction of this bill in Parliament and the timing of the arrests yesterday on charges of terrorism are indeed suspicious, which is I guess the best word I can use. The coincidence seems too large to me. It seems to me that the Conservatives are trying to use a climate of fear to push forward this legislation. Again, I refer to the example of Japanese Canadians in World War II, when fear caused us to do things that destroyed an entire community in Canada, which has taken many years to rebuild, based on fear and fear alone.

I fear that the Conservatives are using this climate in the aftermath of the tragic Boston Marathon bombing, and in the aftermath of very good police work done to bring charges against those who would have derailed a VIA Rail train through their connections with al Qaeda, to create a climate that will cause people to not ask the questions they need to ask about this legislation.

I was very proud that members in the House came together unanimously to condemn the tragic bombing in Boston, but I am a little less proud about the timing of the reintroduction of Bill S-7 in the aftermath of that bombing.

• (1020)

At the time of the bombing, I argued that we ought to be careful not to draw conclusions too quickly. I still argue that it is probably too early to draw many firm conclusions about how the U.S. should respond to what happened at the Boston Marathon. It is necessary to take reasonable precautions when we are met with terrorist acts, but it is also necessary to find out what actually happened before we can figure out what might be the proper measures to take.

However, I would argue that there is one quick lesson from the tragedy in Boston. The quick conclusion that can be drawn, I think, is that when law enforcement agents are given sufficient resources, they can produce results remarkably quickly. They can produce those results using traditional methods, and they can produce those results without resorting to extreme legal powers that threaten basic civil liberties.

The sad fact is that where the government is falling down when it comes to the everyday fight against terrorism is on the question of resources. Without resorting to a very long string of figures documenting budget reductions in everything from policing to emergency preparedness, let me cite just two facts. I think they are two very important facts when we talk about the struggle against terrorism.

The Conservatives are in the process of cutting 325 front-line CBSA officers and 100 intelligence officers from the CBSA. It is certainly good news for gun and drug smugglers and almost assuredly is also good news for potential terrorists. If we reduce our front-line resources, if we reduce our front-line intelligence activities, then, in fact, we increase our risks of terrorism. It is not a question of legislation. It is a question of resources at the front end to do the investigative and law enforcement work we need to have done, just as the RCMP has just done in the charges that came up yesterday.

Again, there are cynics who believe that the Conservatives are bringing forward Bill S-7 simply for political reasons and to create more support in their base community. There are cynics, and I guess in this case I include myself, who believe that the Conservatives are taking advantage of this atmosphere in which few are asked the hard questions about how we keep our communities safe without trampling the very rights that are at its heart.

When New Democrats have tried to address this fundamental question in debate in the House, I have frankly wondered if Liberals and Conservatives have even been listening. If this bill is so transparently necessary, why have the Conservatives refused to carry on a serious debate?

Instead, as far as I know, there has only been a single speaker at third reading from the Conservatives. It has been hard to take seriously their questions after opposition members have spoken, as their comments have been reduced to little more than sloganeering.

Yesterday afternoon in this House, I witnessed the member for Charleswood—St. James—Assiniboia and Winnipeg responding to a speech by one of my colleagues by asking about the NDP's "hug-a-thug" and "kiss-a-terrorist" policies.

I have referred to this member by his riding name only, even though he is a minister of the Crown. I did so not only because I believe that these comments fail to engage the substance of debate but because I do not believe that they are worthy of a minister in the Canadian government.

While the response of many Conservatives on this serious topic has disappointed me, the response of the Liberals has been perplexing. Here is the once proud Liberal Party, which likes to claim the Charter of Rights and Freedoms and which recognized the basic threat to civil liberties when they introduced the main provisions, which are coming back in Bill S-7, by including a sunset clause.

Here they are now taking part in the debate, actually almost even carrying the debate on behalf of the government in favour of Bill S-7, in favour of those very same provisions that were in the original Anti-terrorism Act but with a sunset clause. Now they are arguing for them without any sunset in sight.

Government Orders

In 2007, when the sunset date was approaching for recognition with conditions and investigative hearings, and it was time to vote on the proposed renewal, the Liberals voted with the NDP to kill those provisions. Now, in 2013, they seem to be even more enthusiastic supporters of the bill than the Conservatives are themselves, reminding us, I suppose, that these ideas, which I believe threaten our basic liberties, were originally Liberal ideas in 2001.

I am probably coming close to the end, so let me start to conclude my remarks. I am speaking not with any hope today that Conservatives or Liberals will listen to reason on this bill. I do not believe that many of them have done the soul-searching that those on our side of the House have done about this threat to basic civil liberties. I am comforted only by my hope that most Conservatives are acting in good faith and out of a genuine belief that the measures proposed in this bill will actually keep us safe.

● (1025)

All I would ask is that a single Conservative stand up on that side and point to the evidence that investigative hearings and recognition with conditions, or preventive detention, as it is called, would provide effective protection against terrorism. I have yet to hear from anyone on that side of the House making that argument and providing that proof.

I do not believe that these measures will make any contribution to our safety. Rather, they pose a genuine risk to the free society they are supposed to defend.

When I think back to my own experience with 9/11, which touched me in a very personal way, as it did many other Canadians who lost friends and relatives, I ask myself what was under attack that day. I believe that it was a free society that values tolerance and diversity and that protects the fundamental rights of all its citizens.

I think back to the time when I worked in zones of conflict, where bombing was a daily occurrence, where communities were torn apart over what in the end seemed to be trivial issues when compared to the losses in those communities. I think back to when we knew who were responsible and their supposed reasons for carrying out those attacks. It was impossible to understand how they could have inflicted such violence on their friends and neighbours over, when we take the time to step back from them, such fundamentally unimportant issues.

Instead of enacting measures that potentially undermine fundamental rights in Canada and measures for which there is no evidence of effectiveness, we should be strengthening our intelligence and enforcement programs in ways that would enhance as well as protect the rule of law and respect for rights.

Because of my experience on police boards and as a municipal councillor with the police force, I know that the vast majority of police officers are committed to the rule of law and are committed to respect for rights. I know that they would like to have the resources they need to keep our communities safe from terrorism. I again stress that my major concern with respect to terrorism is not the lack of legislative provisions or legislative powers. Rather, it is the lack of commitment by the Conservative government to providing the resources our front-line officers and front-line intelligence agencies need to do the hard, slogging work that keeps us safe from terrorism.

It is a parallel to the whole approach by the Conservatives when it comes to crime. They think the solution is to make more legislation, to make more acts criminal and to increase penalties. However, we know that in everyday policing what makes us safe are boots on the ground at the front line doing the enforcement and the social services that help reintegrate people into their communities.

When people eventually draw conclusions about the Boston Marathon, the conclusions I believe they will draw will be that the main protection of a free society is its ability to accommodate and tolerate diversity, its ability to respect rights for all, its ability to protect free speech, and its respect for those fundamental legal traditions that say that no one should go to jail who has not committed a specific criminal act and that people should not be forced to appear in an investigative hearing to give testimony against themselves, which is one of our fundamental legal protections.

When we draw those conclusions, we will see that rather than offering support in our fight against terrorism, Bill S-7 undermines those very values we intended to protect when we founded this country, when we introduced the Charter of Rights and when we signed those international covenants.

I will conclude today with a final appeal to both the Conservatives and the Liberals, which I know will not be listened to. Think again about what is most important to this country of Canada: our tolerance, our diversity, the rule of law and respect for basic, fundamental rights.

For those reasons I will be voting against Bill S-7 at third reading.

● (1030)

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I listened with interest to the member's statements. He has put together a number of decent arguments. However, I say that he is missing the point in a couple of key areas.

He said what is most important is the protection of our freedoms and our civil liberties. I agree. The freedoms that Canadians enjoy are a big part of what makes this country so special, but it is those very freedoms that people in this place are tasked with protecting.

Every time we see a terrorist act that targets civilians, we see those freedoms taken away. We see some of them infringed upon as everyday Canadians and everyday citizens are asked to go through more and more clearances, more tests and more challenges simply to do the things we have always done. This is the cost of terrorism.

We also have people feeling under threat in their own neighbourhoods and in their own homes. They ask for us to be able to provide the basic protections.

Our law enforcement officials have asked for these measures to be put in place. They have asked for them as tools they can use to protect Canadians if necessary. It is only responsible that the people in this place would provide those protections so that we can protect Canadians at all times.

Government Orders

I would like to hear the member's response.

Mr. Randall Garrison: Mr. Speaker, I thank the member for Peterborough for his response and for taking seriously the debate we are having here, because I think he raises important questions. However, when we talk about the tools that law enforcement has asked for, the tools they need, the main one they continue to ask for is the resources they need to do the job.

When we talk to CBSA agents who work on the front line, they cannot understand how they are expected to prevent gun smuggling, which is a fundamental part of most possible terrorist activities. How are they supposed to do that when gun seizures have been going up at the border over the last year but suddenly there will be 325 fewer people to actually do that enforcement work?

When it is a question of giving people the tools they need to do the job, the member and I agree. We just differ on which of those tools would be effective. The evidence says that traditional law enforcement and traditional investigation activities are what we need to put our resources to, and not these new measures, which actually, as I said, threaten our basic fundamental rights.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I thank my colleague for his excellent analysis. All Canadians are deeply frustrated with the level of incoherent violence we are seeing, especially with what happened in Boston, and we have seen it in other communities.

In terms of the so-called solutions being offered here, two of the key provisions of the bill were brought forward by the Chrétien Liberals in 2001, at a time when they were telling us that basic freedoms could be done away with. It was an era in which they were going to support rendition and torture.

Those two provisions—the ability to hold someone without charge and to force someone before a judge to give evidence against themselves, which would undermine one of the most basic civil rights—were so contentious that even the Liberals agreed to sunset them. In the years they were in place, they were never used once.

I ask my hon. colleague why he thinks it is now, after the Liberals had promised to sunset these very fundamental threats to the legal landscape of Canada, that they are sneaking in behind the Conservatives to once again push through two provisions that undermine basic rights of any Canadian?

• (1035)

Mr. Randall Garrison: Mr. Speaker, the question from the member for Timmins—James Bay points to something I mentioned in my speech, which is that I am very perplexed about the Liberals' response.

They have two choices: either they were disingenuous in 2001 when they suggested they needed sunset clauses and they were only doing it to get the support of the public at that time, or they are disingenuous now. They cannot have it both ways. Either these were dangerous things that threatened our rights, as they said in 2001, or they are dangerous things that threaten our rights now, when the Liberals are supporting the bill without sunset clauses.

I am, again, perplexed by the position of the Liberal Party on Bill S-7. I am very disappointed to see the Liberals voting in favour.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my hon. friend is also a neighbour in the riding of Esquimalt—Juan de Fuca.

On a related but different point, I want to thank him for raising in question period yesterday the need to support our firefighters. Motion No. 388 went through, although we seem to have no action to bring it into place, and that relates to terrorist acts, as we noted in the Boston Marathon. Everyone was amazed to see the first responders run toward danger when everyone else was running in the other direction.

However, I stand with him in finding, despite my concerns about terrorism, that this current law, Bill S-7, goes too far, and that the existing tools and law in the Criminal Code are more than adequate. I stand with the British Columbia Civil Liberties Association, the Canadian Association of University Teachers, the Canadian Civil Liberties Association, the Canadian Council on American-Islamic Relations, the international civil liberties organizations, as well as with the concerns expressed at committee by the Canadian Bar Association, in believing that the bill potentially violates our Charter of Rights and Freedoms and will therefore be struck down later.

I wonder if he could comment on the futility of passing laws in this place when there are significant doubts that they are charter compliant.

Mr. Randall Garrison: Mr. Speaker, the member for Saanich—Gulf Islands and I stand in somewhat the same place on this issue. The NDP has had this question for a long time. When legislation is introduced, the Minister of Justice has a responsibility to certify that it would not violate the charter, but the minister has set a very low bar: we have heard reports that if there is even a 5% chance that the law will be upheld in the courts, the government is willing to go ahead and introduce that bill.

I also want to thank my colleague for raising the issue of first responders. The Conservatives say that we have the resources we need, that we have done the things we need to do. Firefighters would be one of our most important resources in any terrorist attack and they were one of the most important resources in Boston, so it shocks me that in this country we have failed to implement a compensation fund for the families of fallen firefighters. The only argument made by the government yesterday against this fund was that it would be simply too expensive. I was disappointed to hear that argument. It was quite a shocking statement, because the tragic loss of firefighters has a cost, and right now those costs are borne by their families.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I would like the hon. member to talk about something that has not really been explored.

In most cases—such as Boston and many other examples—the perpetrators of the attacks had already been identified by the police as radicals. Could the answer simply be to provide more resources in order to conduct investigations in those countries and make sure that the people identified as radicals are not dangerous? I think that would solve the problem. It is all well and good to provide tools to the police, but you do not give someone a hammer to kill a fly on a window.

Government Orders

[*English*]

Mr. Randall Garrison: Mr. Speaker, my colleague's question brings me back to one of the major points in my speech. One of the major things that is lacking in the debate about this legislation is the question of resources. Why do police agencies miss people who have been identified as radicals? Probably because they have too much work to do to devote the necessary resources to identifying those who could be potential threats.

As we saw in the case of the Boston Marathon, the police were given virtually unlimited resources in a short period of time and using traditional enforcement investigation methods, basic police tactics not extreme laws which threaten people's rights, they were able to produce results in very short order.

Rather than creating this law which would threaten basic liberties, we need to turn our attention toward providing resources to the police and our security agencies so they can get the job done.

● (1040)

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, like a number of my colleagues, I will start by denouncing the reasons behind debating this bill today.

Bill S-7, the Combating Terrorism Act, could have been brought back to the House quite a while ago. If the government really believed that this bill was vital to the safety of Canadians, it could have decided to debate it a long time ago. If the government truly believes that this bill is vital and it did not put it on the agenda until yesterday, then it is negligent.

However, I do not think that is the case. I really think the government decided to take advantage of recent events in order to muster public opinion. That is also what the editorial team of *The Globe and Mail* thinks.

Let us be clear. Like all my NDP colleagues and all my colleagues in the House, I condemn terrorism. To quote the former secretary-general of the United Nations, Kofi Annan, "terrorist acts are never justified, no matter what considerations may be invoked." I condemn the Boston bombing and I condemned the September 11 attacks. I condemn the bombings that take place throughout the world every day. I want to take this opportunity to commend all the law enforcement officers who in any way participated in the investigation that led to yesterday's arrests. Well done.

Many of my loved ones have been affected by terrorism. Whether it was because of the Algerian war or the Islamic Army in the 1990s, my loved ones have lived in fear. I have learned one thing from this: it is always civilians who pay the price for such senseless violence.

I also had the experience of being in a place where bombs were dropped when I worked as a medical volunteer for the Red Crescent during the first Gulf War, and so I know the effects and dangers of terrorism. I am therefore proud to stand in the House and oppose this bill.

I am opposed to this bill for many reasons. The first, but by no means the least of these, is that I believe in the rule of law. This bill, as it currently stands, violates the most fundamental civil liberties and human rights. I want to prevent attacks on Canada, but I also

want to prevent the arbitrary arrests and the abuse we see in police states.

In Canada, we already have laws that punish crimes of terror and give law enforcement officers the tools they need to protect national security. In this morning's edition of *Le Devoir*, there is a great quote by Nathalie Des Rosiers, general counsel of the Canadian Civil Liberties Association. In reference to the case of Canadians involved in the hostage situation at the In Amenas gas plant in Algeria, she said:

If the police had had any evidence, they would have done something. There are many provisions in the Criminal Code under which these individuals could have been arrested.

Denis Barrette, a spokesperson for the International Civil Liberties Monitoring Group, made a similar speech in 2011. He said:

We know as well that these provisions could, as we see it, be abused. I am thinking here of the Air India case. We believe that Canadians will be better served and better protected under the usual provisions of the Criminal Code, rather than others that are completely unnecessary. Reliance on arbitrary powers and a lower standard of evidence can never replace good, effective police work.

The NDP wants to strike a balance between safety and people's rights and freedoms. We proposed numerous amendments to the bill in order to strike that balance. The government rejected them all. However, I found them to be quite reasonable.

● (1045)

The committee members would have had plenty of choice if they had wanted to pass even one amendment as a sign of goodwill, which they obviously did not do, because my colleagues proposed 18 amendments. I would like to mention a few of the amendments so that Canadians can judge for themselves just how stubborn this Conservative government is, how obsessed it is with always being right and how it believes itself to be infallible.

Here are a few of them: ask the Security Intelligence Review Committee to look at the possibility of an inter-agency co-operation protocol to ensure that it would be effective and that rights protected by law would be respected, and have that protocol in place before the leaving the country offences could come into effect; establish the right to state-funded legal aid if a person had to attend an investigative hearing; add a comprehensive review of the government's implementation of the Arar commission's recommendations with regard to accountability and oversight mechanisms, with particular attention to oversight and activities among agencies; and include the advice of the Canadian Human Rights Commission on the racial discrimination and profiling issues surrounding Bill S-7.

Really? I thought it was impossible to be against virtue. These are just a few examples of the amendments put forward by the NDP, but to no avail. The members of this government rejected them all, one by one. I would also like to point out that neither the Conservatives nor the Liberals even bothered to propose any amendments to this bill.

Many of the measures in this bill were suggested in 2001 following the September 11 attacks. These measures expired in 2007, so they have not been in force for the past five years, and when they were in force, they were used a grand total of zero times. Zero, *zéro, sifr*, none, nada, never.

Government Orders

I would like to quote something former CSIS director Reid Mordean said in 2010 about some of these measures:

I confess I never thought that they should have been introduced in the first place and that they slipped in, in the kind of scrambling around that the government did after 9/11.

He added:

Police and security forces have perfectly sufficient powers to do their jobs. They don't need more powers.

We in the NDP will continue to fight to achieve a balance between personal rights and freedoms and people's safety. We believe that the provisions included in this bill provide no additional protection to anyone in this country. I would remind hon. members that this bill is in its present form because the government refused the 18 amendments we proposed in committee in order to strike a balance between safety and rights and freedoms. Accordingly, I cannot support this bill.

Furthermore, this bill leaves out some of the additional protections that were included in the 2001 legislation. An editorial published in today's *Ottawa Citizen* entitled "No need for new laws" shares many of our concerns. To quote that article:

[English]

The idea that the state can arrest and detain someone who has not done anything criminal runs counter to the fundamental values of our society.

[Translation]

For all these reasons, I will oppose this bill and I will vote against it with pride and with my head held high.

• (1050)

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I think the member realizes that the first job of any government is to keep Canadians safe from those who wish to harm us. International terrorism is going to continue to be a threat in the foreseeable future. Bill S-7 would provide law enforcement and national security agencies with further means to anticipate and respond effectively to terrorism.

That is what I want to ask her about, anticipation, because the bill would assist law enforcement in disrupting terrorist attacks by compelling suspects to appear before a court in advance of a suspected terrorist attack. Once the attack occurs, there is nothing we can do about it. This would create new offences for leaving or attempting to leave Canada for the purpose of committing a terrorist offence.

Does the member think these new initiatives are a good idea, and if not, what does she suggest we put in place to stop terrorist attacks before they occur? If there are any other ideas she has, I would like to hear them.

[Translation]

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague opposite, who is a fellow member of the Standing Committee on Health, which runs smoothly.

Unfortunately, I do not agree with this bill. The NDP believes that Canada must give serious consideration to the issue of terrorism while maintaining the rights and freedoms of all Canadians.

This bill is not the right response to the threat of terrorism. It would reintroduce measures that, in the past, have proven to be unwarranted and ineffective.

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, this bill is a sad reminder that police forces are needed to combat terrorists.

How can the government claim that it wants to combat terrorism with legislation when the budgets of counter-terrorism organizations are being slashed? There was a subsidy to help municipal police combat street gangs and stop recruiters from getting young people involved in terrorist organizations. That subsidy has disappeared.

How can we fight terrorism when the only tools we have are laws that take away our rights and the tools police need to fight terrorism?

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague for his question. I truly understand how he feels about this bill.

We know that this Conservative government is slashing budgets everywhere, including the budgets for community police services.

How can we expect community police, or other enforcement services, to do their job properly if they do not have the required means? We know very well that satellites and sophisticated devices are not the way to collect reliable information.

We have to provide the tools and the means, even if only to those in the field, to detect any activity that could result in a terrorist act.

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, does my colleague agree that many people familiar with the issue support the NDP's position that, so far, most of our legislation has been able to control the situation and that it is sufficiently clear?

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague and riding neighbour.

As I just mentioned, many important people support our position, including Denis Barrette, a spokesperson for the International Civil Liberties Monitoring Group; Ihsaan Gardee, the executive director of the Canadian Council on American Islamic Relations; Ziyaad Mia, the chair of the Advocacy and Research Committee of the Canadian Muslim Lawyers Association; Carmen Cheung, a lawyer for the British Columbia Civil Liberties Association; and Nathalie Des Rosiers, the general counsel for the Canadian Civil Liberties Association. All of these people agree with us.

• (1055)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, the objective of this bill deserves to be examined, and we must look at what has happened in the past.

In his book *On War*, Von Clausewitz defined war as "an act of violence to compel our opponent to fulfill our will". What is the will of terrorists? It is quite simple. They want to force us to give up our rights, our freedom of press and our democratic right to elect our leaders. That is their objective. Our response must be to reinforce those values and absolutely not to abandon them. That is the issue here.

Government Orders

This situation makes me think of a chicken farmer who witnesses his chickens being killed by a fox and decides to punish the chickens instead of going after the fox. We must combat terrorism. Our best weapon to do so—the strongest and most reliable weapon—is democracy.

We have a police force that is organized and able to democratically defend our society against acts of terrorism. It is perfectly able to do so. Canada has not yet experienced any acts of terrorism because our police forces have been able to prevent them from happening with our existing legislation. Democracy is precisely what we are talking about today.

Winston Churchill once said that democracy is the worst form of government—except for all the others. This means that there are no others. This is our system and we must defend it. We value democracy and we abhor terrorism.

It is a devious, treacherous adversary, and when it attacks, Canada must respond appropriately. We arrest terrorists and judge them based on our laws, not theirs.

This situation is particularly controversial. As we know, the legislation expired six years ago, in 2007. For the past six years, it has not been in force and it has never been used since 2001. There was not one investigative hearing or any situation in which authorities needed to resort to recognizance with conditions. This speaks volumes about the effectiveness of this bill.

I have the sinking feeling that this bill is being used because certain things in the media have created a sense of insecurity among the population. It is very troubling to know that some young people were recruited in the Toronto area to participate in terrorist activities in Algeria. It is also troubling to find out that people who were in Canada were preparing to commit a terrorist attack against a VIA Rail passenger train. That is pure terror.

It is only normal for people to be afraid. What is not normal, however, is to see a government that feeds this fear and uses it to give itself additional powers that work against the population. It is abusing its own population because terrorism exists. That is what terrorism is. Using people's natural sense of terror to give oneself additional powers that take away people's rights is also a form of terrorism.

The parliamentary secretary talked about the NDP amendment concerning people who have served in a foreign army that is illegally occupying another country. One of the objectives of this bill is to prohibit people from leaving Canada to serve in a foreign organization.

Consider the following three examples. A young Syrian returns to his country of origin to serve in the Syrian army against the rebels. Is that young man a terrorist?

• (1100)

A young Canadian does his Israeli military service in the occupied territories. Is that young man a terrorist? A young Somali returns home to participate in a religious war against the people he calls infidels. Is that young man a terrorist?

Terrorism will not be defined by the acts committed, but by the people targeted by these acts. Are the perpetrators considered to be insignificant? They may or may not commit these acts. We will use our judgment and our international values to establish who is and who is not a terrorist. However, all three will do exactly the same thing—use violence to force people to obey their orders. That situation requires clarification, something that this legislation does not and will not provide, because that is not what the Conservatives want.

The NDP is opposed to this bill for good reason. It is an ineffective piece of legislation. It does not target terrorism; it targets the civil rights of Canadians. Once again, the Conservatives are using a dualist turn: if you are not with us, you are against us. That is from a speech by George W. Bush, the loser. The government has adopted a loser as its model. That says a lot about this government, which is an assortment of losers, people who cut police budgets, withdraw into themselves and believe that all other countries are enemies with which they must not speak, instead of fighting terrorism effectively by increasing police resources and entering into international agreements for the exchange of information. The government is telling us that we have no choice and that we have to sacrifice our rights so that they have the means to fight terrorists. Fortunately, our police do not need this government. Our police manage to carry on without this government, which hinders them by taking away the resources they need and access to information.

Bill S-7 therefore violates civil liberties and human rights, particularly the right to remain silent and the right to not be imprisoned without a fair trial. According to the spirit of those rights, the weight of the state should never be used against an individual to force him to testify against himself. Yet here we are with Bill S-7. There is a reason why, in 2001, the first version of the bill had a sunset clause. It was a protection to ensure that the violation of our rights would not lead to the definitive loss of our rights. In 2007, the act fell into disuse. I can guarantee you that terrorists were not roaming the streets spreading terror the next morning. We did not have that problem in 2007.

There is an imbalance between security and the fundamental rights violated under this legislation. There is the case of Mr. Arar, who was deported to Syria where he was tortured. That is the epitome of stupidity. Everyone agreed, and unfortunately, we have not learned our lesson. We had nothing to gain from sending that man to be tortured. He was not a terrorist. As the parliamentary secretary himself admitted, the problem is that this piece of legislation is so broad that it can be applied to people who are not suspected of terrorism in the slightest.

The NDP is against terrorism. We are so opposed to terrorism that we are against the Conservatives. They are the ones who create false fears and blow them out of proportion to punish Canadians for having rights and using them.

Government Orders

●(1105)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague's speech. I think all of us share the anger and frustration about people who would abuse our country and put people's lives at risk and, in doing so, undermine basic protections and freedoms that all Canadians enjoy. Certainly, we want to ensure that, when people are caught, the full weight of the law is thrown against them.

However, I think what we are looking at here is this undermining of basic rights that make us the democracy we are.

We know that the Liberal Party brought in two very controversial motions in 2001, taking away the basic right of people to protect themselves in court, by forcing them to give testimony against themselves and also by holding people without charge.

The Liberals knew this was so contentious that they brought in a sunset clause. However, now, they are hiding behind the Conservatives and supporting getting rid of that sunset clause and bringing the legislation back.

Bill S-7 would be a law of general application, so it would affect minors as well as adults. There would be no differentiation in the people who could be held: friends, relatives, anybody related to someone who is supposedly suspected but not charged. It would include children. Both the Conservatives and the Liberals refuse to amend the act to clarify that people under the age of 17 or 18 would not be detained in this same measure.

I would like to ask my hon. colleague why, given that Canada has signed specific UN conventions on protecting children, this huge breach of basic rights for children would be allowed in what the Conservatives have called their desire to have the wide sweep of powers to go after anyone they want.

[Translation]

Mr. Alain Giguère: Mr. Speaker, this bill has only one objective, and it has nothing to do with observing the age difference between a minor and an adult or the difference between a Canadian citizen and a foreign national. It has only one objective, which is to bring in an unfortunately partisan policy.

The Conservatives want to appear to be the champions of anti-terrorism. They knowingly introduced this bill at a time when people in Boston were victims of an act of terrorism and when Canadian authorities were uncovering terrorist plots. There is a reason we are talking about this bill today.

The government wants to come off as the guardians of Canada. That is not the case. They are not good guardians for Canada. The good guardians are the ones who stopped the terrorists, certainly not the people over there who create obstacles by cutting funding and prohibiting the authorities from accessing internationally relevant information. The government violates all of our own most fundamental laws.

At what point will we see children being sent to prison for what the Conservatives arbitrarily consider to be an act of terrorism?

[English]

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the bill and the context in which we are debating it are full of contradictions. We are here debating that the government is asking for extraordinary measures, when the day before it seemed that ordinary measures, the measures that currently exist, were sufficient to ensure Canadians are protected from terrorist acts.

One of the other contradictions we are faced with is that, again, the government is asking for extraordinary measures at the same time that it is implementing cuts to the enforcement agencies that are there to protect Canadian interests and lives. I look to, for example, cuts of \$143 million to CBSA that would affect 325 front-line border crossing guards across the country.

I wonder if the member would comment on that particular contradiction.

●(1110)

[Translation]

Mr. Alain Giguère: Mr. Speaker, effectively combatting terrorism requires competent, qualified police officers who receive the support they need from the government and effective legislation.

They are responsible for defending democracy, and they are very good at doing so. This government is only looking for publicity. Its only objective is to make itself look good by claiming to be combatting terrorism.

Less work will get done, at the borders, at airport security and in the field, because of the Conservatives' budget cuts.

[English]

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I am pleased to rise on the matter of Bill S-7, legislation that proposes a number of amendments to Canada's anti-terrorism regime, including provisions respecting the re-enactment of preventive arrests and investigative hearings. As members will know, these provisions expired in 2007 and have, on numerous occasions, been the subject of my remarks in the House and in writings of mine over the years, dating back to the tabling of the original Anti-terrorism Act, Bill C-36 in 2001.

Government Orders

It perhaps goes without saying that this debate began in the period following the horrific events of 9/11, which was characterized at the time as a period when the whole world was changed. Back then the Liberal government of the day introduced provisions for preventive arrests and investigative hearings as components of the larger Anti-terrorism Act. Soon after Bill C-36 in the House in its original form was tabled, I rose in the House and expressed some 10 civil libertarian concerns with respect to that projected draft of the Anti-terrorism Act, including the provisions relating to preventive detention and investigative hearings. I elaborated on these matters in a series of articles and recommended that the provisions be sunsetted after three years, later extended to five years, pending comprehensive parliamentary review, and the government agreed. With that as well as the majority of my other concerns being addressed, some eight out of the ten, I ended up supporting the legislation.

Regrettably, by 2007, when the provisions were scheduled to sunset pending a parliamentary motion to extend them, the House and special Senate committees had not yet completed their studies of the Anti-terrorism Act due to repeated delays including the dissolution of Parliament in 2004 and 2006. Nevertheless, the Conservative government went ahead with proposing the extension of the provisions without taking the views of these parliamentary committees into account, leaving House members with little insight into the experience of the provisions in effect. The result was a highly politicized and partisan debate, rife with what I could only describe at the time as bumper-sticker slogans and smears instead of a debate on the merits of the policy, a policy with which reasonable people can and do reasonably disagree. Indeed, I regretted the references made by ministers of the Crown at the time that somehow our party was soft on terrorism for simply wanting to debate these provisions, especially considering that it was a Liberal government that introduced the Anti-terrorism Act in the first place.

With Bill S-7 now stipulating that preventive arrest and investigative hearings be once again subject to a five-year sunset clause, I offer my support today with the expectation that if enacted, parliamentary committees will be given the opportunity and resources necessary to undertake full review of the provisions in question during the next trial period and well in advance of any debate to extend it once again. Indeed, any decision made by Parliament that affects the security and rights of all Canadians must be reasoned, thoughtful, evidence-based and not rushed as a matter of political expediency.

The critical issue here is one of principled balance. We must, on the one hand, seek to combat terrorism and keep Canadians safe from terrorist threats and attacks, while at the same time protecting our individual freedoms as enshrined in the charter. These are not, however, mutually exclusive objectives. Indeed, an appropriate and effective anti-terrorism strategy must view security and rights not as concepts in conflict, not as a zero sum game, but as values that are inextricably linked.

Let me articulate a number of basic principles in this regard. First, terrorism itself must be seen as being, in effect, an assault on the security of a democracy like Canada and an assault on our fundamental rights such as the right to life, liberty and security of the person. Accordingly, anti-terrorism law and policy may be said

to constitute the promotion and protection of the security of democracy and fundamental human rights in the most profound sense. At the same time, however, the implementation and enforcement of such anti-terrorism law must always comport with the rule of law, must always adhere to the principles of the charter. Torture, for example, must never be allowed to be used and must always comport as well with our international legal obligations.

•(1115)

The second and related principle is that we are not simply talking here about a domestic criminal justice model. We are talking about an international criminal justice model. We are not talking, as the courts and others have said, of the ordinary criminal. We are talking about the transnational terrorist threat.

This brings me to a third principle, which the Supreme Court has itself enunciated, namely the contextual principle; that we cannot view these issues in the abstract but we must view them in terms of the realities as they have unfolded in this regard. Also, we must appreciate that Canadian anti-terrorism law is inextricably bound with the international criminal justice system and the invocation and application of international law treaties, the invocation of general principles of law recognized by the community of nations. For example, section 11(g) of the charter on this point says that retroactivity shall not avail when the crimes are those that run afoul of “the general principles of law recognized by the community of nations”. Therefore, in this regard, it recognizes that the international criminal justice model departs sometimes from the domestic model.

UN Security mandates must also be taken into account, bilateral and multilateral agreements and so forth. In particular, Security Council resolution 1373, enacted following 9/11, mandates that all states take “additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism”. These standards must be met by our anti-terrorism legislation, if for no other reason than that we cannot have the appropriate or factual understanding of the dynamics involved in our domestic counterterrorism measures if we view them in a vacuum, if we view them as abstracted from the global circumstances and precedents or if we view them, as the Supreme Court has said, out of context without resort to an appreciation of the contextual principle.

However, beyond the abstract in that regard, let us be clear. The threat of transnational terrorism is real and Canada is not unaffected by it, as the recent events, whether they be in Boston or the aborted terrorist attack now in Canada, indicate. Indeed, Canadians have been implicated in terrorist attacks abroad as recently as last month in Algeria, last year in Bulgaria and just two days ago with regard to an arrest in Bulgaria. This is precisely why Bill S-7 also makes it a crime to leave or attempt to leave Canada to participate in terrorist activities. Moreover, Canadians have been killed in terrorist attacks, tragically in the case of 9/11 but also thereafter.

Government Orders

Accordingly, our commitment to civil liberties must always be consistent with regard to the protection of human rights as a whole, and we must take the necessary concrete and decisive actions to prevent terrorist attacks. In the words of two former Supreme Court justices, the Hon. Frank Iacobucci and the Hon. Louise Arbour, who also spent several years as the UN Commissioner for Human Rights, the Constitution is not a suicide pact and “[t]he challenge for democracies in the battle against terrorism is not whether to respond, but rather how to do so”.

Preventive arrests and investigative hearings can be effective, limited and lawful counterterrorism measures. Indeed, the Supreme Court, in the matter of investigative hearings has held them to be constitutional, stating that they do not violate an individual's charter rights against self-incrimination, as evidence derived from such hearings cannot be used against the person except in perjury prosecutions. Moreover, the provisions are not otherwise unknown in Canadian law, and similar provisions already exist in the Coroners Act and the Inquiries Act, and I can go on.

In the matter of preventive arrests, these too are not a new invocation of principle and policy. Preventive arrests are effectively the invocation of a peace bond process set forth in section 810 of the Criminal Code, which has been used to protect against criminal violence such as domestic violence, sexual violence and organized crime, and now extends them to suspected terrorist activities.

In addition, preventive arrests and investigative hearings as set forth in Bill S-7 seek to respect Canadians' individual and collective rights through safeguards and principles of transparency. In this regard, it is important to appreciate that there are three safeguards in the bill, and I was involved with respect to the initiation of these safeguards. Reference has been made to the safeguards, and we must appreciate that there is an executive requirement for the consent of the Attorney General and therefore objective oversight in that regard. With parliamentary oversight and the requirements for annual reports from both federal ministers concerned and with Bill S-7, they must not only detail how often the provisions are used, but also make a case for why they should be extended.

● (1120)

Furthermore, there is judicial oversight with respect to investigative hearings, and in the event of an arrest, the individual must be brought before a judge, typically within 24 hours, contrasting with the situation that is in the United States or with the situation in the United Kingdom and the like.

Notwithstanding these safeguards, I understand why some members, maybe even from all parties, remain uncomfortable with the proposed measures. They are indeed extraordinary provisions, though extraordinary provisions to combat extraordinary threats.

I do not, however, share the view offered by some in the House that because the provisions, and we heard this again in debate, were seldom used, in effect they are somehow unnecessary now. In fact, their lack of use can equally demonstrate that they are not abused, that they are truly measures of last—

The Deputy Speaker: I am afraid the member's time has more than expired.

Questions and comments, the hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague. While I agreed with some of his analysis, I disagreed with other parts. I would like to question him on it.

I really felt that what the member said about terrorism being an assault on the fundamental democratic rights and freedoms of any society was completely accurate. Therefore, it is then equally incumbent upon us to ensure that in our response we do not give up fundamental basic rights.

I note he was concerned about the need for a sunset clause with the two very provocative amendments or positions that were brought forward under the Anti-terrorism Act following 9/11, which was arrest without charge and the special investigative hearings. Canadians were very concerned, and that is why they wanted a sunset clause.

He said that we needed it to be evidence-based, but it was not used. These were extraordinary powers.

We went through these hearings. The Liberal Party put zero amendments forward. My hon. colleague has an extraordinary background in issues of human rights and law. I am surprised, because I have heard members of the Liberal Party say that it is not a perfect bill, but they are willing to accept it.

When legislation is brought forth, it is incumbent upon all of us to ensure that all efforts are made to ensure the legal rights that Canadians have enjoyed for this century and more are not undermined.

Does he believe that we should go through an endless round of sunset clauses? If it is evidence-based and it was not used, why is this being brought back now?

Hon. Irwin Cotler: Mr. Speaker, as I said, the fact that they had not been used does not mean that they may not yet be needed. In fact, it may demonstrate they were not abused. They may yet still need it.

In terms of the Supreme Court's contextual principle, we must appreciate the contextual environment in which the transnational terrorist threat operates.

I would remind the hon. member, and I suspect he knows, that if one takes a comparative perspective here, we have a situation where, in the United States, simply by designating a suspected terrorist an enemy combatant, he or she can be indefinitely detained. Detention in the United Kingdom has been extended from 6 days to 18 days. We are talking about a requirement to bring a person before judge within 24 hours. As I said, there is an inventory of safeguards at the executive level, at the legislative level, at the judicial level and through other commissioners, such as the Privacy Commissioner and the like.

While this is an imperfect approach, nonetheless it was something that was supported after there was review of these provisions by parliamentary committees in the House and in the Senate. It is not as if we did not have any review or appreciation of these principles as well.

Government Orders

I do agree that we need to do more on these matter. For example, members in the House need to have more information in the matter of intelligence gathering, which my colleague from Lac-Saint-Louis recommended. Our government re-established a parliamentary committee to provide oversight with respect to intelligence gathering, and here, too, to invoke more principles of transparency in that regard.

• (1125)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I want to ensure I understand from the comments by the member for Mount Royal that the Liberals are hoping to support this bill and are hoping that the Conservatives are going to then have some parliamentary reviews and oversight, as just mentioned. How likely does the member really believe that is, given the government has used closure on debate a record number of times? Currently, right now, the Conservatives are attacking their own leader.

It is a very naive approach to assume that the Conservatives will later on review this bill. How can the member believe that is going to be possible?

Hon. Irwin Cotler: Mr. Speaker, I am saying that the approach is what I would call the principle of least injustice. In other words, bearing all the facts and circumstances that are known to us, for now these provisions can be helpful, may be necessary and a parliamentary review is mandated. I trust it will take place, and we may have a better appreciation at that time as to how to go forward.

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, it is an honour to speak on behalf of my constituents from Surrey North. I am speaking today about Bill S-7, the proposal to reintroduce anti-terrorism measures, which were previously sunsetted in the Anti-terrorism Act.

Bill S-7 has been shamefully promoted in the wake of the Boston Marathon bombings. The government is exploiting public fear in order to push through its agenda. It is appalling to attempt to use the mourning and pain of the American people to push through legislation that is blatantly confiscating our human rights and civil liberties.

Bill S-7 is not about preventing terrorism. We already have a comprehensive justice system and enough legislation to protect Canadians from acts of terrorism, as well as a variety of capable institutions to facilitate these laws. Rather, this bill fundamentally attacks our rights and freedoms.

Bill S-7 is a reintroduction of the sunsetted clauses of the Anti-terrorism Act, which were also designed in the wake of an instrumental and horrifying event: the terrorist acts of September 11, 2001. The clauses introduced in the Anti-terrorism Act were given a sunset period, which has expired at this point. These clauses include the allowance of investigative hearings and preventive detention, as well as the permission for judges to publicly disclose information about a trial or the persons being tried. Even at first glance, it is obvious that there are major violations of human rights and civil liberties at stake.

The term “human rights” is often tossed around vaguely as an abstract concept. However, the key to this discussion is in exploring what human rights are. The codification of human rights emerged during the 18th century with the French Declaration of the Rights of

Man and the American Declaration of Independence. These documents were designed to limit what a state could do to its citizens.

Human rights essentially prescribe what liberties a citizen has within his or her own state and the duties that the state has to its citizens. States have an obligation to respect, protect and fulfill the human rights of their citizens. This is not a duty that our government should be taking lightly. We have made international commitments that confirm our dedication to protecting our citizens from human rights violations.

In 1976, Canada ratified the UN International Covenant on Civil and Political Rights. Under this human rights treaty, the government has an obligation to protect the liberty of people within its borders. This explicitly means nobody should be subject to arbitrary arrest or detention.

Interestingly, in the discussions at the public safety committee, it was discovered that the wording of Bill S-7 allowed for the arrest of people who were not suspected of terrorist activities. In further consultations with parliamentary secretaries, it was confirmed that this was the intention of the government. It is the government's intention to expose every Canadian to this preventive detention, not only those who could potentially cause acts of terrorism. Imagine the resources and cost of arresting or detaining anybody, regardless of whether there is any cause to believe people may engage in criminal activity.

The original purpose of the Anti-terrorism Act was to update Canadian legislation. In order to respond to the United Nations Security Council standards, we must consider that Canada must also adhere to international standards of human rights. Of course, terrorism itself has a direct impact on human rights that Canadians enjoy. It especially violates the principle of life, liberty and security of a person.

Media rhetoric describes terrorism as the opposite of freedom. Although they are not simply binary concepts, if freedom and terrorism are somewhat polarized, then how can we describe the limitations on freedom that the government is proposing?

The preamble to the UN ICCPR states:

—the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy [human rights]...

• (1130)

Does Bill S-7 propose conditions where everyone can enjoy their human rights? It seems to be the opposite case. The Conservative government is exploiting fear to confiscate our freedoms and rights.

Nobody in this House is debating that terrorism should not be addressed. Terrorism is a horrific problem that attacks the heart of national pride and undermines state stability. The events at the Boston Marathon last week were horrific, and I stand with my colleagues as we condemn these attacks and offer our deepest sympathies and best wishes to the victims and families.

Government Orders

Bill S-7 presents us with a very contentious issue. There is a delicate balance between national security and individual human rights. However, this is a balance that Canada has already found. Our Criminal Code already offers the necessary provisions for investigating those who are involved in terrorist activities and those who could be potential terrorist threats to national safety. The proposed clauses in Bill S-7 have been proven unnecessary and ineffective in the past. They have only been invoked once in a situation described as a complete and sad “fiasco” by lawyers and human rights advocates alike.

Rather than investing in a procedure that creates fiascos, the government should be investing in our institutions that have proven themselves capable, like the RCMP. Just yesterday, the RCMP announced it had stopped a plan of terrorism within our borders. There are two suspects in custody right now. The RCMP was able to handle the situation without the aid of the clauses in Bill S-7. RCMP members were effective, timely and able to perform their jobs without compromising the human rights of Canadians.

We are thankful for the work of the RCMP and we need to recognize that work. We should be investing in supporting these institutions that are able to work effectively within the current sphere of the Canadian justice system.

There are valuable tools that should have been introduced in the anti-terrorism act, which would have been influential in combatting terrorism while upholding the integrity of Canadian values of liberty and rights. We should be promoting inter-agency co-operation to reflect the multi-faceted nature of terrorism—

The Deputy Speaker: The hon. member for Kingston and the Islands has a point of order.

• (1135)

Mr. Ted Hsu: Mr. Speaker, I think that we are below quorum. I think this hon. member deserves more people listening to his speech in the chamber here.

The Deputy Speaker: I do not think that is a point of order or that there is anything the Chair can do to encourage more people to come in.

There is now quorum in the House.

The hon. member can continue.

Mr. Jasbir Sandhu: Mr. Speaker, I want to thank my Conservative colleagues who finally rushed into the House. They often talk about terrorism and how they would protect Canadian human rights and invest in the RCMP and other agencies, yet they do not want to participate in this debate. That is very sad.

There are many valuable tools that should have been introduced into the Anti-terrorism Act, which would have been influential toward combatting terrorism while upholding the integrity of Canadian values of liberty and rights. We should be promoting inter-agency co-operation to reflect the multi-faceted nature of terrorism and address the source of terrorist activities. Efforts against terrorist activities should be performed without discrimination of any kind. The government should be transparent in its dealings with terrorist activities, and we should be able to hold them accountable for their actions. These do not seem like unreasonable requests, yet

when they were proposed in committee by the NDP, they were determined to be beyond the scope of the bill.

We cannot sit here and watch the fundamental rights of our citizens being taken away by the Conservative government. Even the United Nations, which requested that states align their legislation with Security Council standards, has established that human rights are integral to combatting terrorism, stating: “Respect for human rights and the rule of law must be the bedrock of the global fight against terrorism.”

The government has an obligation to all Canadian citizens, to all within Canadian borders and to the international community and the international bodies that govern our human rights. The government must respect our current freedoms, protect our rights as well as our security, and fulfill its obligations to Canadians by investing in effective counter-terrorism strategies.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague. Again, all of us are so offended by senseless violence and the effect it has on our society. One of the most poisonous effects is that it creates an impression that the basic rule of law and basic rights need to be done away with.

We saw this in 2001 with the horrific time after 9/11, when rendition, torture, arrest without a warrant and detention without charge were considered to be what was needed for the 21st century. At that time in Canada, we had a young engineer who was just coming home from work, Maher Arar, and he was arrested and sent through rendition to torture in Syria. That happened under the former Liberal government. At the time, Mr. Arar was considered to be the price to be paid for democratic freedom. The man was being tortured and he was completely innocent. Now, we realize that his rights were completely abused.

At the same time, the Liberal government brought in two very controversial measures. One was the ability to detain someone without charge. The other was to force those individuals before a judge without their being able to protect themselves. The Liberals knew it was so contentious that they agreed to a sunset clause, because it was to be for a limited period of time. Now, we see that the government is bringing it back in the wake of the horrific killings in Boston and that the Liberal Party is supporting it. The Liberals told Canadians they would sunset it, but now we see them hiding on the coattails of the Conservatives, bringing back the same provisions that were proven unnecessary and a major affront to Canadians back in 2001 and 2002. They could still lead to further incidents. We have not seen this party understand the implications of what happened to Mr. Arar.

We need to ensure that innocent people are not caught up in what they are calling, under this bill, the need for the wide sweep.

• (1140)

Mr. Jasbir Sandhu: Mr. Speaker, I am very disappointed with the Liberals for joining hands with the Conservatives on this issue.

Government Orders

The Liberals have, over decades, talked about how they protect human rights and how they protect civil liberties. I have heard this from former Reform Party members who are part of the Conservative coalition. They talk about individual rights outside of the House, yet when they come into the House, individual rights are not being protected by the government. In addition to that, we have the Liberals joining in a coalition with the Conservatives, not only on this issue, but on many other issues that are being discussed in the House.

I stand with my colleagues. I think there is a fine balance, where we have to protect the security of our country and balance that with fundamental civil liberties and human rights.

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I would like to go back to the question that was asked by a previous member and the point that was made about the implications of what happened to Mr. Arar.

I would like to ask my hon. colleague about the potential implications of what did not happen in Toronto. Law enforcement has to be right 100% of the time. Terrorists only have to be right once. We saw that in Afghanistan with IEDs and other things that went on over there. We have seen it around the world with terrorism.

Why do we not talk a little bit about what did not happen in Toronto and how important it is to not let those things happen in the future?

Mr. Jasbir Sandhu: Mr. Speaker, it is very disappointing. In my last answer to my colleague, I pointed out that what they say in the House is one thing and what they say outside of the House is another thing.

We are proposing that we need to make sure that our agencies, CSIS, RCMP and CBSA, have more co-operation among them to stop these terrorist attacks and catch these people before they commit these hideous crimes.

However, the Conservatives will say one thing here. They are cutting \$680 million from the public safety budget up until 2015. We believe we need to invest. The NDP, my colleagues, believe we need to invest in our people and resources to make sure that the resources and the tools are there so we can prevent these acts from happening.

I am thankful to the RCMP and the other agencies that are involved with making sure we caught those two individuals in the Toronto area.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I am proud to join my New Democratic colleagues in debating Bill S-7 today. Like them, I oppose this bill.

I would like to begin by denouncing how this debate is playing out. Very few members are participating in the conversation here in the House, and most of those participating are NDP members. We are well aware of how our remarks will be portrayed outside the House to Canadians.

Today's debate is important, but unfortunately, it is being polarized. The Conservatives will exploit that polarization to portray New Democrats as people who do not care about the safety of Canadians and oppose measures to keep them safe. I want to

emphasize that that is not the case at all. Here in the House, many of my colleagues have pointed out that public safety and the protection of our borders and our people are extremely important to the NDP. However, we also want to put into perspective the issue of basic rights and freedoms for law-abiding citizens who act in accordance with core Canadian values. It is very important to make that clear from the outset. I will be very disappointed if my Conservative colleagues ask questions that cast aspersions on our commitment to ensuring public safety and protecting people.

We all know the history behind Bill S-7. It was introduced in the Senate in February 2012 and has been with us in the House since December, but the Conservatives have not done anything about it. They could have introduced the bill in the House long ago if this issue really mattered to them. Instead, they have adopted a partisan approach in reaction to the threat of terrorism and the tragic events in Boston.

We can all agree on one thing. We hope that such events will never come to pass here in Canada or elsewhere. What happened in Boston was heartbreaking and deeply upsetting to us all. The NDP cast aside partisanship and joined the other parties in the House in condemning these attacks and offering condolences and support to everyone who was affected. That characterizes our approach to this debate.

We are concerned about the issues raised by the attack in Boston and other terrorist attacks around the world and those that have been foiled. We certainly need to have some serious discussions about this in the House, but we must not allow ourselves to be swept up in partisan ideology or to succumb to panic and forget the fundamental rights and freedoms that each of our constituents enjoys.

Bill S-7 is a recent measure in a series of anti-terrorism measures that have been introduced in the House since 2001. There again, laws were passed at the time in reaction to an event that was traumatic for people throughout the United States, Canada and the world. An attempt was made to introduce a timely legislative response to issues arising from the September 2001 attacks.

The purpose of the bills introduced at the time was to update Canadian laws so that they met international standards, particularly those of the United Nations Security Council. However, during debate, members at the time realized that the legislation introduced contained some very controversial provisions. At that time, a sunset clause was included for certain provisions of the bills that were introduced.

Over the years leading up to 2007, it became clear that these controversial legislative provisions were unnecessary because they were used only once and, unfortunately, did not produce the desired results. We therefore realized that we did not need many of these provisions, which expired in 2007. What is more, those that are still useful and that directly assist our police forces are still in force today.

Government Orders

•(1145)

For those reasons, the NDP opposes Bill S-7. The government is attempting to reintroduce anti-terrorism measures that are extremely controversial and fly in the face of civil liberties and human rights. These measures, quite frankly, have proven useless and ineffective in the past. I cannot imagine that it would be any different now. A terrorist plot was uncovered this week, on Monday, which proves how effective the current legislation is. Everyone has heard about it. Our law enforcement agencies were extraordinarily effective and managed to intercept two individuals who were going to attack people using VIA Rail.

It would have been terrible if a tragic event like that had happened, and we would have had to change our legislation. However, after a year-long investigation that required co-operation between various Canadian and American organizations, RCMP officers were able to intercept individuals who were planning a terrorist attack before we had to endure any loss of human life. That proves that the laws in place are effective and already give our police officers and border agents all the resources they need to be effective and protect the safety of Canadians. They did not need any additional measures. They did not even use the measures already in place, which shows that the measures that were passed in a panic in the wake of the 2001 attacks were useless.

The main issues the NDP has with Bill S-7 are related to the provisions that would amend the Criminal Code to authorize investigative hearings and recognizance with conditions in cases of preventive arrest where the individual refuses to accept the conditions or does not comply with them.

In terms of investigative hearings, people can be called at any point in time and forced to disclose all the information they have on various things, even though the information can ultimately incriminate them. Generally speaking, whatever is said in those hearings cannot be used against those who disclose the information. The fact remains that some points are not clear. Among others, could that information be used to initiate deportation or even extradition proceedings against the people who disclose the information?

That is a fairly serious problem with the legislation and we are still dealing with grey areas. We have received no explanation. The amendments that the NDP tried to present in committee to solve the problem were simply rejected out of hand, like most NDP amendments presented in every committee that I have been able to attend. This is nothing new, but this bad habit of the Conservatives and their partisan dogmas have prevented them from protecting the rights and freedoms of Canadians. That is a major problem.

The same goes for recognizance with conditions. If certain individuals are suspected of being associated with terrorists, they can be subject to various conditions for moving around Canada. If they do not comply, they can be sent to prison for up to 12 months, without evidence, on the basis of suspicions. That is a major problem.

The Liberals are saying that they will support the bill because they hope that the Conservatives will be flexible in committee. I appreciate their optimism, but that is not what experience has shown us. Unfortunately, the outcome of the committee work will be

a new bill that will undermine the rights and civil liberties of Canadians.

That is why the NDP is proudly opposed to this bill. It is not that we want to encourage terrorists or that we do not want to put them behind bars or to prevent them from taking human lives. It is because we are highly aware of the freedoms granted to Canadians and we want to do everything we can to preserve those freedoms.

•(1150)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, this question is quite simple.

This bill resurfaced under somewhat bizarre circumstances. The opposition was given a day during which it was supposed to talk about a topic that could be embarrassing for the government: parliamentarians' right to speak. Some Conservative parliamentarians want to talk about the right to abortion, but the Prime Minister does not want them to. It seems he wants to be re-elected.

This bill resurfaced at a critical moment when Canadians realized that, in fact, terrorism is dangerous. There was an attack in Boston and the threat of an attack in Canada.

Was this bill introduced to protect Canadians or just to amplify the Conservatives' political role as the self-professed saviours of Canada?

Ms. Éline Michaud: Mr. Speaker, that is an excellent question.

Unfortunately, this government has too often exploited tragic situations that make the news. The Boston attack is a perfect example of that. Canadians panicked in response, and rightly so, because what happened was frightening. We have reason to fear for our safety. The same thing happened on Monday. The RCMP's success reminds us that there are always issues affecting the public safety of Canadians.

The Conservatives are trying to distract us. They call for more freedoms, but they have introduced a bill that would deprive many individuals of their freedoms. That is definitely ironic.

The government is also trying to win political support from Canadians who were affected by the Boston attack. Reacting with shock to these events is completely normal. What is not normal is the Conservatives' reaction. They rushed to bring forward a bill that had already been before the House for a very long time. The government is rushing it through at the risk of violating the rights and freedoms of our fellow citizens. That is deplorable.

•(1155)

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I would like to present some figures.

Budget 2012 announced cuts to public safety of \$687.9 million by 2015, which is a considerable amount. Budget 2013 makes still more cuts.

Government Orders

Budget 2013 did not renew the police officers recruitment fund in spite of the fact that the provinces were asking for continued assistance from the federal government for front-line police officers. The Conservatives have cut services that affect national security and now they are introducing legislation.

Is there not a contradiction here? Does the government really want to protect Canadians by cutting law enforcement services?

Ms. Éline Michaud: Mr. Speaker, I would like to thank my colleague for that excellent question.

I got a bit carried away in my musings earlier, and I did not have time to address the very important topic of how the Conservatives regularly demonstrate a lack of consistency in the House and in the various bills that they introduce.

On one hand, the Conservatives want to restrict Canadians' freedom, but on the other, they are going to cut the resources of those who have the specific duty to arrest terrorists or people who commit crimes in Canada and try to endanger the lives of Canadians.

We all need to speak out in the House against this lack of consistency because what it really does is tie the hands of our police officers, customs officials and all levels of our law enforcement. That is very important to note.

We must speak out in the House against the Conservatives' lack of support and consistency. I am pleased that so many of my NDP colleagues are doing so during this debate. This is something that seems to have been forgotten by those who are choosing to support this bill.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I have the honour to rise in the House to discuss Bill S-7, and I do so with enthusiasm.

The NDP opposes this bill at third reading. We believe it is an ineffective way to combat terrorism. It also needlessly and inappropriately infringes on all our civil liberties.

The constituency I represent is situated near the United States and borders on Vermont and other states. I am particularly concerned by the lack of security that this government is championing. I entirely support the members for Marc-Aurèle-Fortin and Portneuf—Jacques-Cartier. In their view, the government is deluding itself in posing as champions when they make cuts left, right and centre to the national security budget. Those cuts will amount to \$687.9 million by 2015.

The Canada Border Services Agency has suffered \$143 million in cuts, which will affect 325 direct jobs at Canada's border crossings. CBSA's intelligence service has been hit hard, losing 100 positions and 19 sniffer dog units as a result of the budget cuts. The Canadian Security Intelligence Service has also had \$24.5 million in cuts, and the RCMP has been subjected to reductions of \$195.2 million.

Budget 2013 only exacerbates this state of affairs since there will be a 29.8% reduction in spending between 2012 and 2013 and into 2014.

Budget 2013 therefore does nothing to offset the Conservative government's inability to protect Canadians adequately. It also has not renewed the joint emergency preparedness program. The budget

does not renew the police officers recruitment fund despite repeated requests from the provinces, which want front-line police officers, those capable of preventing terrorism and arresting terrorists, to receive ongoing assistance from the federal government.

There has also been a \$20.3 million cut in crime-fighting, which represents a \$2.4 million reduction in national security spending.

The department itself has stated that the infrastructure of the Government Operations Centre could be incapable of supporting coordinated intervention if a major event occurred. I will stop listing the cuts made by the government because there are too many and I do not know how to continue.

For all these reasons, we believe that Bill S-7 violates civil liberties and human rights, particularly the right to remain silent and the right not to be imprisoned without first receiving a fair trial. In the spirit of those rights, the weight of the state should never be used against individuals to force them to testify against themselves.

We also believe that the Criminal Code contains the necessary provisions to investigate people who engage in criminal activities and to detain anyone who may present an immediate threat to Canadians. The fact that those provisions were never used between 2001 and 2007 is proof of that.

Our opposition is based on the belief that these measures are ineffective and pointless. We believe that our position is based on values dear to Canadians. There is a lack of balance here between security, which is absolutely necessary, and fundamental rights. More protection is provided by the 2001 version.

• (1200)

In meetings of the Standing Committee on Public Safety and National Security, we tried to improve the bill by proposing 18 amendments—not one, not two or three, but 18 amendments. The Liberals and the Conservatives did not propose any.

The bill would impose a prison sentence of up to 12 months as well as strict release conditions on people who have not been charged with any criminal offence.

We, however, believe in the fundamental values of our justice system. The fact that these provisions were invoked only once, and without success, proves that the police have the tools they need to combat terrorism with existing procedures, without any risk to our civil liberties. The provisions of this bill could be invoked to target certain individuals, for instance, people taking part in demonstrations or acts of dissent that have nothing to do with any reasonable definition of terrorism.

We proposed a number of amendments. Here are some examples of the amendments we brought forward that were dismissed out of hand, because it was decided that they were outside the scope of the bill, because they would require a royal recommendation or for no reason whatsoever.

We wanted SIRC to look at the possibility of an inter-agency co-operation protocol to ensure that rights protected by law would be effectively respected. We wanted that protocol to be put in place before the leaving the country offences could come into effect.

Government Orders

We also proposed an amendment to ensure that testimony gathered from investigative hearings could not be used against an individual in extradition and deportation proceedings, not just in criminal proceedings. Once again, the government said that this did not fall within the scope of the bill.

We then proposed an amendment to establish the right to state-funded legal aid if a person had to attend an investigative hearing. We were told this would require a financial amendment from the House committee.

Lastly, we proposed an amendment to ensure that the annual reports included detailed information on any changes to the legislation, policies and practices related to exit information or exit control. This was also deemed to be beyond the scope of the bill. All our amendments were systematically rejected.

I want to inform the House that many witnesses appeared before the committee and wholeheartedly supported our position. Carmen Cheung, a lawyer for the British Columbia Civil Liberties Association, said:

...we urge the committee to refrain from further expanding the powers of our national security agencies until appropriate and effective accountability and review mechanisms have been established. We believe that strong and robust oversight mechanisms are important not only for protecting human rights and civil liberties; they are crucial for ensuring that our national security policies and practices are effective.

In conclusion, the New Democratic Party believes that we must look seriously at the issue of terrorism, but not at the expense of rights and freedoms. Bill S-7 is a threat to the rule of law and human rights, notwithstanding the additional protections in the 2001 legislation, which have gradually been eliminated.

Once again, all of the amendments to strengthen the rule of law and human rights were rejected by the Conservatives. They do not care at all. For all these reasons, we will oppose this bill at third reading.

• (1205)

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, like all Canadians and members of the House, regardless of their politics, we have such anger and frustration when we hear of, for example, the VIA Rail plot. Whether it is true or it is not, people would harm innocent people. We want the full weight of the law to be brought against people who would create the kind of chaos that was created in Boston. What we are seeing with Bill S-7 is what the Conservative government called a wide sweep of measures and this is what Canadians need to understand: terrorism is a fundamental assault on the rights of a democratic society, but we do not counter terrorism by engaging in an assault on the basic rights of the rule of law.

New Democrats brought forward numerous amendments to attempt to clarify the provisions. Unfortunately, the Liberals brought zero amendments. I would like to ask my hon. colleague why he thinks it is that the Liberals did not even bother to try to fix the bill, to try and work with us to ensure that basic civil liberties are not undermined in the pursuit of terrorists.

[*Translation*]

Mr. Pierre Jacob: Mr. Speaker, I appreciate that question, which reminds me of a proverb: You should not bite off more than you can chew.

That is the case here. The government says it wants a wide sweep of measures, but it is forgetting about the charter and it is forgetting that there are rights and there are regular citizens. We do not have 38 million terrorists in Canada.

My colleague asked a good question about the Liberals. As usual, I get the feeling that the Liberals signal left, but end up turning right. That is what they have done again here, in terms of respecting rights. That is disappointing, considering that they claim to be the party of the Charter of Rights and Freedoms.

• (1210)

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I can explain the Liberals' behaviour. It is becoming increasingly clear that there is no difference between them and the Conservatives. The Conservatives are doing all of this so that it looks like they are doing something, and the Liberals are acting this way so that they look like they are on the same side as the ones who want to look like they are doing something. In the end, nothing really happens.

We are used to seeing this type of behaviour from the government. The Conservatives claim to want to give rights to aboriginal women, but they know full well that these women will not have the resources or means to exercise those rights because they live in isolated communities that are dealing with a housing crisis and a lack of resources.

We are in a whole other league, and we want to take real action. We are truly concerned about public safety, and we want more resources to really fight terrorism.

Mr. Pierre Jacob: Mr. Speaker, I thank my colleague for his welcome comments.

In fact, the only way to fight crime, and in particular terrorism, is to hire more police and more border services officers in order to strengthen security at airports and everywhere else. Simply saying things and making systematic cuts left, right and centre, as I said earlier, is not going to enhance public safety.

So it is still a question of image. Whether it is the Liberals or the Conservatives, it is all the same thing.

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, I would like to start by saying that we were all outraged and shocked by the events that happened in Boston, and we offer our heartfelt sympathy to the families.

In our democratic societies, we cannot tolerate the use of violence for political ends, whatever they may be, and we strongly condemn it.

Government Orders

After the attack on the World Trade Center on September 11, 2001, the American and Canadian governments panicked and decided to put a set of measures in place quickly to enhance the fight against terrorism. One of those measures was Bill C-36, the Anti-terrorism Act. Some clauses in that act were enacted temporarily—they were applied for an initial five-year period to see whether they were necessary and effective. Today we are seeing an attempt, in Bill S-7, to incorporate those clauses into the act on a permanent basis.

When I read the brief on Bill S-7 by Denis Barrette of the International Civil Liberties Monitoring Group, I was struck by his comments on preventive detention. That term brings back painful memories of the October crisis of 1970. In Quebec, we have experienced terrorism. I remember the military barracks that were blown up. I remember the death of a sergeant, the bomb at the Montreal Stock Exchange and bombs in mailboxes. The governments of the day decided to suspend civil liberties and, rightly or wrongly, to invoke the War Measures Act. I was young at the time. I was 14 years old and going to high school.

In my neighbourhood of bungalows, we watched as 40 soldiers, armed to the teeth, got out of their vehicles. They went around to the houses knocking on doors to talk to us about things we knew nothing about. They asked us whether we knew people connected with the Front de libération du Québec. They had composite drawings. At that time, we did not have the photographs and all the digital equipment we have today. The soldiers showed us composite drawings of bearded men with long hair who might have looked like our neighbours. They asked us whether we knew those people or had seen them. They went to the home of my neighbour, who had a beard and long hair, and they took him away. He looked like the person in the composite drawing. Did he have connections with the FLQ? No one knew. The people in my neighbourhood knew the guy because he worked in a café. Young people went there and I imagine they may have smoked some substances that were illegal at the time, but to our knowledge he was not a terrorist, and it turns out that in fact he was not one.

When the War Measures Act was declared, the authorities carried out 36,000 searches without warrant and arrested 457 people. They called that "preventive arrest". That is just what we find in the bill before us now. When a government panics, it makes preventive arrests. When I read in the notes that preventive arrests would be possible, I decided that we must maintain our current laws, because the police have enough laws at their disposal. Yesterday we saw the arrest of two suspected terrorists, Jaser and Esseghaier. There was no need to make preventive arrests, take people into police custody and interrogate them, wait for their responses and put them in prison if they did not live up to police expectations. We went through such a period of preventive arrests in Quebec and where did it get us?

● (1215)

How many of the 457 people who were "preventively" arrested were charged with belonging to a terrorist movement? One may well ask. The Keable commission investigated. There were some answers. There was the MacDonald commission, which was blocked by the Supreme Court of Canada, because provincial commissions are not entitled to investigate the activities of the RCMP.

Some day, perhaps, when all the documents have been made public, we will know all the facts about this dark period in Canadian history and Quebec history. For now, we know that the suppression of civil liberties during that time was unjustified and produced nothing. Many people still claim even today that when the War Measures Act was declared, the police already knew where the kidnapers of James Cross and Pierre Laporte were. That is our basis for holding on to the laws that make it impossible for someone to be arrested without knowing why, that ensure that anyone arrested has the right to remain silent and be represented by counsel, and that ensure that the force of the state should never be used to compel individuals to testify against themselves.

In conclusion, I will read from the statement made by Mr. Barrette when he appeared at the committee I mentioned earlier. I will read it completely, for the people watching us and for those who still believe it is necessary to maintain civil liberties despite increasing terrorism. In fact, terrorism sometimes makes us forget our fundamental principles that make us want to live in a free and democratic society. Terrorism has achieved its goal when it succeeds in limiting our civil liberties, because that is its goal.

The International Civil Liberties Monitoring Group and the Ligue des droits et libertés believe the provisions relating to investigative hearings and recognizance with conditions to be both dangerous and misleading.

Parliamentary debate of this matter ought to be based on a rational and informed review of the Anti-terrorism Act, a piece of legislation that was rushed through Parliament after the events of September 11, 2001 in a climate of fear and in response to considerable pressure from the United States.

Today, what is the real, objective need for these two provisions? From the time they were adopted in 2001 until they were terminated in 2007, the only time they were used was in connection with the Air India affair, which as we know, resulted in an unfortunate fiasco. In 2007 and now, police have been able to investigate and block terrorist plots without using the provisions being discussed. That is clear. It is possible to prevent terrorist attacks using the legal tools we already have. There is no need to further limit individual and collective rights.

Moreover, since 2001, 10 years ago, of all the investigations leading to charges or convictions, none has required the use of these extraordinary powers, including the case of the Toronto 18, a more recent case involving four people from the Toronto area, and even yesterday, the case involving the two people who planned to derail a VIA Rail train. We know that these provisions could be used in a way we consider abusive. I am thinking of the Air India case. We believe that Canadians will be better served and protected if the ordinary provisions of the Criminal Code are used, rather than these unnecessary provisions.

Reliance on arbitrary powers and a lower standard of evidence can never replace good, effective police work. That goes without saying.

Government Orders

• (1220)

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the passion with which the member delivered his speech. I do not agree with what he says as he tries to revisit or possibly rewrite history. At the end of the day, we have to put things in the perspective of the time and acknowledge that in the minds of many Canadians in the 1970s, there was a huge concern. Generally speaking, Canadians were very supportive of what Pierre Elliott Trudeau did at the time. Hindsight is 20/20.

Having said that, today we are talking about Bill S-7. We have to reflect on what was said at committee stage. Terrorism today is significantly different from what it was 20 or 30 years ago. Experts of all different backgrounds, including law enforcement officers and so forth, are telling Ottawa that they need some legislative ability, something in their tool belts, to ensure that they are in a better position to protect Canadians from terrorism.

Why does the member feel so passionately that all of the law enforcement agencies and experts who made presentations at committee are wrong and that it is only the NDP that is right?

[Translation]

Mr. Pierre Dionne Labelle: Mr. Speaker, when the member says that terrorism today is not the same as it was in the past, he must be forgetting that there were deaths in Quebec, that bombs were planted and, above all, that the law invoked took away civil liberties and turned out to be unnecessary.

I do not understand how he can say that terrorism today is not the same as it was in the past, and that the situation is different. I am sorry, but I do not agree with what he said. One day, the Trudeau government's legacy with respect to this issue will be judged by history.

We already know that the RCMP, and others, had established terrorist cells. How was the situation used by those in power? We still do not know. One day, we will find out.

• (1225)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I want to thank my hon. colleague for the excellent history he provided on what happened to the people in Quebec during the dark days of the FLQ, when Pierre Laporte was brutally murdered and James Cross was kidnapped. I was astounded to hear the Liberals say that it was right because treating the entire francophone population in Quebec as a threat and detaining people without warrant or trial was popular, and since it was popular, it therefore made it right.

This is the same attitude the Liberals took post-9/11, when Maher Arar was dragged off to Syria and tortured. At the time, nobody except New Democrats was saying that this man may be innocent. We did not know all the facts at the time, but we said that this man deserved the rule of law. We were right, just as we were right for opposing the War Measures Act at the time, because it is not about what is popular. Politicians should not give in to the fear of the day. They should stand for the principle of protecting civil liberties while making sure that police have the tools they need to go after criminals.

I would like to ask my hon. colleague why, in light of legislation that strips away basic fundamental freedoms Canadians have fought for, the Liberal Party has done nothing in terms of amendments or attempts to improve this bill to ensure that innocent people are not arrested.

[Translation]

Mr. Pierre Dionne Labelle: Mr. Speaker, the danger lies in the potential for abuse.

When fundamental rights are taken away, the authorities can abuse power. Consider my neighbour who was arrested because of the police sketches of people with beards and long hair. Today, we would call this racial profiling. We do not want racial profiling in Canada.

We want our police officers to have the money and the tools they need to prevent terrorism without resorting to racial profiling. That might work one time in 20, but every other time it leads to legal errors. In such cases, all of society loses.

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, Bill S-7 is the latest chapter in a long saga that began in the wake of September 11 and led to a number of legislative measures. Bill C-36, the Anti-terrorism Act passed in 2001, was the first salvo launched following the horrific events in New York which still strike fear in people today.

Obviously, the legislation was brought in not only to respond to this threat and to protect Canadians, but also to meet our international obligations, as dictated at high levels, to the UN.

Some of the provisions of the Anti-terrorism Act amended existing pieces of legislation such as the Criminal Code, the Access to Information Act and the Proceeds of Crime (Money Laundering) and Terrorism Financing Act.

Other more significant changes were brought in, notably unprecedented changes to Canadian law. Those who were serving in the House at the time of the 2001 attacks perhaps can attest to the fact that this legislation was passed hastily and without due consideration.

Facing the unknown and a climate of dread, Parliament responded in a strong-armed, reflexive manner. There is a reason therefore why these provisions, crafted in the urgency of the moment, were subject to sunset clauses.

These so-called sunset clauses ensured that the more controversial measures would simply be temporary. That was for the better. The provisions in question pertained to preventive arrest and investigative hearings.

Had the desire arose to extend the life of these provisions, had they been deemed useful or relevant or had it been acknowledged that they had prevented an otherwise inevitable catastrophe from occurring, there would have been an opportunity to maintain them and make them permanent.

Government Orders

To do so would have required a resolution by both Houses of Parliament. A resolution was in fact tabled and rejected. Parliamentarians in their wisdom found that there was no valid reason to extend the life of these provisions.

Both Houses did their homework as far as these measures were concerned. Each one examined the most sensitive provisions of the 2001 Anti-terrorism Act. In October 2006, the House of Commons Standing Committee on Public Safety and National Security reviewed the legislation, most notably the investigative hearings and recognizance with conditions provisions. The other place produced an aptly named report entitled “Fundamental Justice in Extraordinary Times”.

Despite this flurry of activity, these questionable, freedom-destroying and fortunately temporary provisions expired as originally scheduled in 2007.

Since then, several attempts have been made to resurrect this long-settled debate: Bill S-3 in 2008, Bill C-19 in 2009 and Bill C-17 in 2010.

Each time, the same conclusion has been reached: the state currently has all the tools it needs to combat terrorism.

There was no reason to bring in these measures, even in 2001, and there is no reason to re-introduce them today.

The measures being debated today are not harmless. Among other things, Bill S-7 would re-introduce into Canadian law the phenomenon of investigative hearings that allow a peace officer to apply to a provincial court judge for an order to compel individuals to appear before a judge if they are suspected of having information concerning future terrorist acts. The provision would compel the individual to attend hearings and to answer investigators’ questions.

Another important measure that is being brought hastily before the House is the recognizance with conditions provision which includes preventive detention. It would give a peace officer the authority to arrest an individual without a warrant if he believes such action is necessary to prevent a terrorist act. The individual in question is subsequently brought before a judge, as soon as feasible, according to the wording of the bill, and may be imposed certain conditions, or may even be committed to prison for a term not exceeding 12 months.

From a human rights standpoint, these provisions are very restrictive. One could also argue that they are cause for great concern and that careful consideration should be given to the balance that must be struck between the real advantage they provide in terms of public safety and the cost to citizens, which undeniably in this instance is restrictions on a person’s fundamental rights. Admittedly, at issue are the rights of the individuals primarily concerned, but ultimately the rights of all citizens are affected as well.

Dramatist Henry Becque wrote that freedom and health have much in common and that we only appreciate their value when they are lost to us.

I am greatly concerned about the timing of today’s debate, about the fact that the government has chosen to move it up in light of what has happened. As noted earlier, the 2001 Anti-terrorism Act was

passed hastily and this is not how debates on national legislation should unfold.

Today it would seem that an attempt is being made to recreate the same climate of fear and panic in order to hastily push through a bill that has serious implications for people’s freedoms.

It goes without saying that the people in my riding, Longueuil—Pierre-Boucher, want to live in safety. However, they also believe very strongly in the rights that belong to every individual. Many of them are going to wonder whether this is the right time to be debating the measures in Bill S-7, when people are recovering from the horrific, cruel and gratuitous attacks that took place last week at the Boston Marathon.

We do not need any added emotion for debating this bill. What we need is some distance, some reflection, and some calm and considered thought.

To me, there is nothing wise about the government precipitating this debate. I stress the word “wise”.

● (1230)

Is it really wise, the day after attacks like that, and with what we have in the news here in Canada, to be rewriting our laws and redefining our fundamental freedoms?

Perhaps it is the usual opportunism we see from this government, in its typical crudeness and poor taste.

We on this side firmly believe that this bill is contrary to the fundamental values of Canadians and the values on which our judicial system is built.

The unambiguous and unvarnished goal of these measures is to limit the civil liberties and fundamental rights of Canadians.

Those rights include basic elements of our judicial system that we take for granted: the right to remain silent, the right to a fair trial and the right to be considered innocent until proven guilty.

The principles of our law, whose origin lies in centuries-old customs and legal traditions, lay out individual rights that are unwavering.

While the draft we are presented with today includes a few sops that are supposed to reassure us, because they are in the form of additional protections, these proposals are very unconvincing overall.

We also oppose these measures simply on their track record: these methods are ineffective in principle.

Ultimately, we firmly believe the Criminal Code is an entirely satisfactory tool for investigating these suspicious people who engage in shady plans or whose goal is to threaten the public. Those are crimes and that is what the Criminal Code is intended for.

In fact, the provisions drawn up in 2001, which had a “sunset clause” that took effect in 2007, were never used. Those measures made people uncomfortable from the outset, in 2001, because they were inimical to liberty.

Government Orders

In 2010, a former director of the Canadian Security Intelligence Service, Reid Morden, said, on the question of the two measures I referred to earlier:

[English]

...I confess I never thought that they should have been introduced in the first place...

[Translation]

He raised the idea that these provisions had slipped into the act almost by mistake.

[English]

...and that they slipped in, in the kind of scrambling around that the government did after 9/11...It seemed to me that it turned our judicial system somewhat on its head.

[Translation]

He then stressed that law enforcement agencies already have the powers they need to do their job. They do not need additional powers. He concluded by saying:

[English]

I guess I'm sorry to hear that the government has decided to reintroduce them.

[Translation]

It appears that these measures caused misgivings among the forces of law and order, who wisely decided not to use these powers in their investigations.

Can someone really explain why these measures would be useful today, when they were not useful in the months following September 11, and that even the people who could have enforced them did not want to?

Finally, when some rights are under threat, all rights are under threat. Under the provisions of this bill, there is not much to ensure that citizens or anyone will not be falsely accused in the future for activities that have nothing to do with terrorism. Some activities may be considered subversive or dissident—slippery words that can be applied to peaceful activities in a democratic context.

Those who defend fundamental human rights are speaking up from all sides, telling us that these measures are unnecessary and that the price to be paid will be paid in civil rights, which is not a fair exchange for the proposed benefits. These measures are unwanted and unnecessary.

We saw this a few years ago when threats of spectacular terrorist attacks were foiled. We saw it again yesterday, when the admirable public safety professionals arrested two suspects who, it appears, wanted to disrupt the lives of ordinary people and do them unimaginable harm.

At this moment in time when terrorism has become part of current events, it is essential that we resist. We must resist terrorism in order to protect ourselves, prepare ourselves and defend ourselves. We must make our trains, airports, public spaces and gathering places safe and secure.

It is also essential that we, as a society, as communities and individuals, refuse to be terrorized by terrorism, and refuse to be manipulated or to change our behaviour and lifestyles. That is precisely what we should not do.

We must not be terrified by terrorism. To stand up to terrorism is to ensure that democracy and individual liberties for everyone in our country are never threatened by such people and their violence.

Since I have only a few seconds left, I just wish to express my astonishment at the Liberal Party's inconsistency. In 2001, the Liberals adopted the sunset clauses, but today they are not proposing any amendments of the sort. I cannot explain that.

• (1235)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, what is really important to state for Canadians who are concerned, as we all are, about potentially dangerous people, whether they are politicized radicals, have a religious attitude or just want to cause chaotic harm to people, is that under the Criminal Code a person can already be ordered to appear before a judge if there is concern, and the judge can hold the person and deny bail if he or she believes the individual poses a threat. What is different about Bill S-7 is that a judge can detain a person for 24 hours without cause, detain the person just on the perception or the feeling of a police officer that the person may be engaged in terrorism.

New Democrats put forward amendments to try to clarify what would give law enforcement officers that ability. What is a terrorist? Are we talking about violence? What is it? The government refused to work with us on clarifying it because it said it wanted a wide sweep of powers. I find that concerning, because we saw that widespread civil rights abuses happened at the G20 against people who were just exercising their democratic rights, and now we see how people who oppose the pipelines are called eco-terrorists.

The government said it wanted a wide sweep. I would like to ask my hon. colleague why he thinks the Liberal Party, which has wrapped itself in the flag of the Charter of Rights and Freedoms, has refused to come forward with even a single amendment to at least clarify and basically protect the rights of Canadian citizens. If that party believes in the charter, why is it not standing up for it?

[Translation]

Mr. Pierre Nantel: Mr. Speaker, I would like to thank my colleague, who has really set himself apart during these past two days of debate. We see how passionate he is about democracy.

Given the Liberal's inexplicable attitude, I get the impression that the question really caught them off guard because they were so concerned about proposing an opposition day. I am very eager to find out when our dissident colleagues opposite will have their opposition day on freedom of speech.

Clearly, we need to find the truth and determine what is best for our society. Please forgive the analogy, but people should never shop for groceries when they are hungry.

[English]

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, the hon. member gave a very thoughtful presentation.

Government Orders

I wonder if he would like to expand on the fact that we are talking about pre-emptive arrests where no crime has been committed and of secret hearings where people would be compelled to testify or face up to a year in jail. Would the member agree with me that this may just be political opportunism based on the terrible Boston bombings that just occurred?

The Conservatives sat on this bill for a year and did nothing with it, and all of a sudden, poof, it pops out of the genie bottle. Does the member share my concern that this is a bad bill at an opportunistic time?

• (1240)

[*Translation*]

Mr. Pierre Nantel: Mr. Speaker, I would like to thank the hon. member for his question and comments.

Frankly, it is unfortunate. If only we could have built a relationship of trust with a responsible government over time. I have often said that this government is heavy-handed, and I would like to add today that it is lazy in the sense that it always waits for a climate conducive to taking a completely questionable position.

As the hon. member for Timmins—James Bay said earlier about this type of proposal, we clearly need to make sure the police have the tools they say they need. We do not need to follow the agenda of the extreme right wingers.

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a pleasure to rise today to speak to this important bill. It is not much of a debate, as there has been silence from the other parties for the most part. However, as a New Democrat and someone who lives on the border, I believe it is important to talk about some of the issues with respect to Bill S-7, because the bill would indeed affect our lives.

I will start by recognizing the families and victims of Boston, which was a horrible crime perpetrated against not only those individuals but also against free people across the planet. It is sad to see things turn that way. Our thoughts and prayers are with those people as they try to move on with their lives the best they can at this moment.

I always remember when 9/11 took place. I was working as a youth coordinator at the multicultural council. In that program we had eight youth from Canada who were making bad decisions about their lives, and their lives were not on track. Then we had about nine to ten youths who were new to Canada within the last couple of months or the previous year who were having a hard time adapting to Canadian culture and society, so we were doing a program together. We had anti-racism, volleyball and basketball programs. There was a lot of integration into the schools and a series of different things for people who had been identified as youth at risk. We had a good program, because it had a 90% success rate of youth either going to school or returning to a job somewhere once they completed the program.

I mention that because I was in my office and saw the second plane go into the tower on 9/11. I will always remember that moment when I had to go and talk to the students right after that, knowing that this atrocious act of terrorism was forever going to change the future quite significantly for all of us, not only in the way we

perceive the world but also in the way we go about our business in the world, such as in the consequences we faced at the border, which was lined up with trucks. The border was virtually shut down. There were lineups on the 401 all the way back to London, Ontario. It got to the point where diapers were being handed out and porta-potties were being placed along the route because there were so many people stuck in their vehicles.

The trucks could not go anywhere. At that time, around 10,000 trucks crossed via the Ambassador Bridge and the Windsor-Detroit tunnel and the haz-mat ferry per day.

We still have consequences of that remaining with subsequent policies. A lot of the focus has been on militarization. In some respects there has also been a focus, to the point of obsession, regarding civil liberties, and it has altered our lives.

Bill S-7 is one of those issues. We saw it come through the House originally. The U.S. had what is called the Patriot Act, which infringed civil liberties there, and it was fought diligently by the civil liberties associations and others in the U.S.

We eventually had the original security certificate before Bill S-7, which is now amending it more strongly, despite the fact that we know it was not needed to solve some of the issues we have had to deal with because it contained a sunset clause.

I want to congratulate and thank the men and women who were responsible for making sure the VIA incident did not take place. They are to be commended for their hard work. It is an example showing that we do have laws in this country that can be very useful in combatting terrorism and crimes of that nature.

It is important that we talk a bit about militarization of the border and a change in attitude that is affecting our economy and the way that we interact in this world. I have seen this at the border.

I will go back to the Oklahoma City bombing. Two Muslim men in a car were the original suspects. Later on it turned out that it was Timothy McVeigh, a white Christian male who was part of the Michigan militia, who was the primary person responsible for that bombing.

I mention that because we have seen racial and ethnic profiling occur at the border, and it has affected a lot of people. I often remind Americans, especially when I am in Detroit, that thousands of doctors and nurses cross the border every single day to save the lives of American citizens in their hospitals and in other services.

It has been challenging. At times when there have been other acts of terror, profiling was targeted at communities. Sometimes it was the Pakistani community or the Somali community, and other times they were thrown in with the lot. That was unfair.

Government Orders

• (1245)

In fact, one of the biggest changes that I saw take place was when the US-VISIT program was implemented. The government, similar to previous governments, has not opposed the U.S. on the tiering of Canadian citizenships. It first happened when I was in Washington. I was at the embassy, and we became aware that they were going to put five nations on a list. If a person was born there, he or she was going to be fingerprinted and photographed, despite becoming a Canadian citizen.

The first list came out, which basically had a tiering of Canadian citizens. It did not matter if a person had only been in a country for a brief time as a child, or had come to Canada later on in life, that person was seen as a lesser Canadian. I asked the ambassador at that time if we were going to challenge it, and he said no. It was subsequently never challenged by any prime minister. To this day, we have a tiering of Canadian citizenship, which is not the right way to go.

It is also important to note that when we have these issues over privacy and identity, there have been times when it has been used against individuals, and later on they have been found to be innocent. The case in particular that I would like to raise, which has been raised often in the House, is the one of Maher Arar.

Maher Arar is a Canadian citizen who was detained not by one but by two significant law enforcement agencies in North America, the RCMP and the FBI. He was exported outside of the country and he was terrorized. It was a terrible experience, affecting him, his life and his family, whom I have met, and it was sad to see. Basically, a lot of people at this odd time did not even think to stand by him. We had to stand by him. We found out later on that the evidence was not right. We found through the inquiry that it was not right, to the point where he has actually received reparations for it, but his life can never be made the same.

What concerns me with regard to Bill S-7 and some of the clauses that are in it is that the detention elements are for up to 12 months. If one has a detention of up to 12 months, that is a significant departure from a person's family, friends, relatives and the life that they are building in the country. Let us imagine being taken out of the workforce for 12 months and then see how one can actually get it all back later on.

Even if the person is cleared, the people around them in their life, whether they be friends and family, or just acquaintances or neighbours, will continue to harbour potential fears or different myths about the situation. They will not be as intimate with why the person was detained or what the reasons were, and if the person is later released, whether or not the person is still a threat.

I worry about the special process and stigma that are placed on those individuals, because it is inevitably going to lead to their having a different experience in Canada than other people, and why? Because we were creating a special law—a super law, so to speak—that is supposed to combat terrorism. We are going to see individual repercussions on that person and his or her family, which are heightened and very significant, and which will lead to long-term issues.

It is ironic that we are discussing this legislation, which very much does infringe on some personal rights, and we do want to act on terrorism, yet at the same time, through the budget and process, the government is cutting the things that can actually combat terrorism. I would like to talk about a couple of those things on the border.

I know I only have a minute, but I would highlight that we have over 100 CBSA investigative officers and other officers who are going to be or have been cut from their jobs. They have also been told to stand down if they find exporting guns, drugs, or criminal activity if they do not have an investigator when things are going to the United States. Those things come back as guns, money, and other weapons.

I cannot agree with Bill S-7. It goes far too far. We have the provisions in place right now to actually have a safer society.

• (1250)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague, and he talked about how certain groups are targeted because of violent acts that have happened.

In my family, and I come from a family that is orange and green at a time when there was such division and hatred, the one thing that brought both sides together was their horror at the sectarian killings that were happening in Ireland. I remember my grandmothers talking about what happened to the people in Ireland and England who were caught up in the sweep. At the time, it was popular to just arrest people and suspend the rule of law. It was seen as okay. Our Liberal colleagues talked about it today. It was popular to suspend civil liberties in Quebec, and therefore that made it right.

We look at the cases, and they always say it is to get the bad guys, but the question is, what happens when they get the innocent, as my colleague said about Maher Arar? I would like to point out the story in England, where Annie Maguire and seven members of her family were put away for 15 years on anti-terrorism charges, and they were innocent.

It is incumbent upon parliamentarians to ensure that the rule of law remains the basis while we are protecting citizens from terrorist activity. I would like to ask my hon. colleague what he thinks about the problems of so-called preventive arrest without charge.

Mr. Brian Masse: Mr. Speaker, I remember the days of Alexa McDonough. God bless her, she stood out on her own in defending Maher Arar. She called for the proper process when it was very unpopular to do so. One was seen as being weak on terror and soft on crime. Those were the catcalls. She was determined and did not falter in making sure that he had his say and he had his day and justice was well served. However, the family is still paying for that. They have lost time and are still suffering the consequences of what took place. They have to move on as best they can, but unfortunately the damage has been done.

Government Orders

When Timothy McVeigh blew up a federal building in Oklahoma, we did not assume that every white Christian male was a terrorist and stop them from coming into Canada. We just assumed that he was a very evil person who did the wrong thing.

There are good people out there, and they cannot get caught in this net as well because there is too much at stake. The consequences for families are too much.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, my colleague seems to have a very good recollection of all these events. What does he feel we need to remember from the war on terror that has been under way since 2001?

My impression that the only salient points are Abu Ghraib, Guantanamo, the war in Iraq—for the so-called weapons of mass destruction that turned out to be a fabrication—the Maher Arar case in Canada and a few other cases. That is what is left of that whole ideology, because it was an ideological position on a problem that the Canadian and American governments did not understand. They did not understand what terrorism was and they did not know how to respond. They acted randomly and the results were dreadful

I would appreciate my colleague's comments on this matter.

[*English*]

Mr. Brian Masse: Mr. Speaker, sadly, humanity has not found itself capable of having a civil society where we do not have these types of acts of terror taking place by some citizens on others. There have been other terrorist activities. The Unabomber is one example. Over time we forget some of the things that have taken place.

There is a delicate balance here, and we need to recognize that. We have to stop these things from happening in the first place. Once we catch people, we need to punish them in the proper way. If we do not do it right, we could do more damage to individuals and take away the reason we pay taxes to live in safe communities. Bill S-7 would not do it right. The reality is that we have not found a solution just yet. Unfortunately, some people choose to break the law at the expense of others. That is why we have police, several layers of police. It is an unfortunate situation.

As lawmakers, we need to make sure we do not go too far and create a state that has more powers than individuals. Due diligence cannot be done if people are not given their basic rights under the law.

● (1255)

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, it is disappointing when old ghosts from the past come back to haunt us.

All these ideas were trotted out hastily, out of political opportunism, following the events of September 11. Today, they are resurfacing in an even more dangerous form, once again in a context of political opportunism, simply to give the appearance of having done something. Those who support these ideas simply want to look like they are on the side of those who want to look like they are doing something.

Although the members on the other side of the House accuse us of being soft on crime and other fictions, I am sincerely convinced, like my colleagues, that randomly killing innocent people can never be justified, not even strategically as part of a military strategy. There can be no justification for it.

We cannot fight an enemy until we identify it. Terrorists are not an organized army with headquarters, troops and equipment. They cannot even be identified by their physical characteristics.

Take the Boston Marathon terrorists, for example. The image they projected was that of charming young men. They could have been our children. In a crowd, there was no way to differentiate them from others, yet after the crime was committed, they were identified as transporting what might have been bombs. Walking down the street, most people would not recognize them and would think that they were ordinary young Americans.

This proves that resources need to be focused on properly identifying young people who are going astray and who are potentially dangerous. This requires considerably more police resources and intelligence. The police need funds to cover the expenses involved in occasional travel to remote regions to identify the recruitment and training centres of the groups that support these people.

There is also a lot of work to do to ensure that instructions for making bombs are not so readily available to anyone on the Internet.

Over the course of history, mistakes have been made. For example, in the Second World War, Canadians of Japanese origin were detained in camps for the entire duration of the war. With the benefit of hindsight, we now realize that the allies were able to defeat the Japanese thanks to the efforts of Japanese Canadians and Japanese Americans, who managed to break the Japanese navy's secret codes. This is what made the great allied victories possible.

The upshot is that businesses, fishers and people with prosperous companies on the coast were bankrupted in the small villages in the centre of the country. Their lives were completely destroyed. Years later, they were given an apology, but their lives were, nevertheless, ruined.

When one considers the Liberals' position, the debate makes us—especially those of us from Quebec—think of the good, old Liberals, the Liberals of 2001, who passed this insane measure.

● (1300)

Clearly, they are not in a position to be too critical because they came up with this in the first place. So much for the charter.

Regarding yesterday's arrests, there is only one thing to be happy about: that the police officers who arrested the two terrorists had not already been laid off as a result of the government's short-sighted cuts.

Indeed, if they were not operational, in a few months, we could be talking about a terrorist attack on a train in Toronto. That would be a bombshell. We have undoubtedly headed off a disaster thanks to our police and law enforcement efforts.

Government Orders

The solution is not to pass legislation to arrest more people, but to put a stop to the cuts the government is making to the resources available to Canada's police forces.

There are a lot of examples internationally. It is coincidental that the two Boston terrorists were Chechens. The Russians have always had a specific technique. In the 1930s, the entire Chechen population was deported to Siberia. They returned years later, completely destroyed and penniless. A third of them died in exile. They were never again made full-fledged Russian citizens.

That caused a whole host of problems that led to civil war and terrorist attacks. It does in no way excuse the wanton killing of people, but it does, to some extent, help to explain the root causes of the problem.

Over the course of the two recent wars in Chechnya, the Russian army engaged in neither interrogations nor temporary detentions. It carried out preventative executions. That only made the problem worse. As soon as compromises are made when it comes to human rights, society takes a step backwards.

Maher Arar and his family's lives were ruined. Even though mistakes were acknowledged and his name was cleared, he is still living with the burden of what happened. Indeed, two months ago, he was still wearing an electronic bracelet around his ankle and he could not enter the Confederation Building because his photo on the computer screen had a red border around it. How long will it take before he is once again a Canadian citizen with the same rights as other Canadians?

We always end up regretting actions that are taken arbitrarily. It is time that the government started thinking before it acts and investing the necessary resources to address this problem. I am really fearful that somebody, like the terrorists that sought to derail a train, will wreak havoc in Canada. A stupid bill like this will not prevent that from happening. Resources need to be allocated appropriately and there needs to be better coordination between services in order to identify criminals and prevent such things from occurring.

• (1305)

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, my colleague's comments affect me a great deal.

In my own family, I have a brother who was tortured under the Pinochet dictatorship. He was not a terrorist, but he was against the regime. Yes, the context was different, but it reminds us that torture leaves its mark on people forever.

There is one thing that bothers me. We are being told that these laws need to be enforced, but there is no commitment to hire the resources that the police needs to do its job properly.

Could the hon. member elaborate on the fact that cuts in the budget are affecting the protection of Canadians and police services?

Mr. Marc-André Morin: Mr. Speaker, those cuts are part of the government's law and order agenda.

The government is constantly accusing us of being on the side of pedophiles. However, everyone knows that many Canadians are involved in international pedophile networks. Some European countries monitor the movement of suspected pedophiles and carry out investigations in Cambodia, Thailand or Laos. They mobilize the

resources needed to arrest those criminals and bring them to their countries of origin to be tried.

Here all we get is blah, blah, blah, and no resources. However, to stop terrorists, we need to apply the same principle and provide the resources necessary to identify where terrorists get their supplies and their logistical support from.

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, I appreciated the comments by the member for Laurentides—Labelle.

I would like to know what he thinks about this. The fight against terrorism allows a number of things to happen. I am particularly thinking of the increased use of drones in the U.S. I hope that, one day, a motion condemning the use of drones by our allies will be tabled in the House, because I think that provides fertile ground for terrorism.

Last week, I read an article about a drone that gunned down a city in Pakistan and killed twelve small children.

Could the hon. member comment on that?

Mr. Marc-André Morin: Mr. Speaker, using the inappropriate strategy or weapon in a battle is like trying to kill a fly in a greenhouse with a hammer.

If, through the use of a drone, we manage to locate a tank in which a terrorist is hiding, we can blow up that tank and the matter is settled. However, if we bomb a house in which 10 children are sleeping, that is a blunder which results in collateral losses. What the military calls collateral losses are in fact human lives, and those who are wrongfully imprisoned are victims.

[English]

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I rise today to offer my objection to Bill S-7, but before I move forward, I want to express my condolences to the families and victims in Boston. I know that all MPs in this House, no matter what colour our ties or where we sit in the House, condemn this heinous attack.

Jumping to the bill at hand, this bill would amend the Criminal Code, the Canada Evidence Act, and the Security of Information Act with the express purpose of combatting terrorism. However, it is my belief, and the belief of numerous groups that appeared before the Standing Committee on Public Safety and National Security, that this bill offers nothing in the way of protection from terrorism and that the limits it places on civil liberties are simply unacceptable.

The main component of this bill is an amendment to the Criminal Code that authorizes investigative hearings and the imposition of recognizance with conditions. It also authorizes preventive detention in cases where a person declines to accept or fails to adhere to the conditions of the recognizance with conditions.

In non-legal jargon, what does this mean for Canadians? Essentially, the first part means that any peace officer, such as a police officer or an officer in the Canadian Forces, can ask a provincial judge to order anyone who might, and I emphasize "might", have information concerning a terrorist act to appear before a judge.

Government Orders

If a provincial judge makes that order, a person must submit him or herself for an interrogation, must respond to all questions and is required to bring any possessions connected with the judge's orders.

These hearings can be about past or ongoing crimes or suspected future crimes. The bill states that the purpose of an investigative hearing is not to prosecute individuals but is to gain information. Because of this, responses given during an investigative hearing cannot be used against the individual in the context of future criminal proceedings, except in the case of prosecution for perjury or giving contradictory evidence at the hearing.

Other non-criminal legal proceedings, such as extradition or deportation proceedings, are not expressly covered by the bill, meaning that individuals could still find themselves negatively affected by their appearance.

The second part, regarding recognizance with conditions, essentially means that a peace officer can arrest an individual without a warrant if it is believed that such an arrest is necessary to avoid a terrorist attack. The individual who has been detained must then be brought before a judge within 24 hours of detention, or as soon as possible, to prove the necessity of detention. The peace agent must then ask a provincial judge to order that this individual appear before a judge to determine whether recognizance, which is a legal obligation for an individual to respect certain specific conditions, is necessary. While the limits of the conditions a judge can set are not detailed in the bill, it does explicitly state that one condition a judge may impose is to prohibit a person from owning a weapon, including firearms, crossbows or ammunition.

If people refuse to abide by the terms of the recognizance, they can be imprisoned for up to 12 months. This imprisonment, not being the result of a criminal conviction, is thus described as preventive detention. These conditions can therefore allow any Canadian to be imprisoned for up to 12 months without ever having been charged or convicted of any crime.

I hear many say, "This will never affect me. I am a law-abiding citizen. Only people who are carrying out terrorist activities will be covered by this bill". Well, they would be wrong. For one thing, if there was sufficient evidence that these people were planning to carry out terrorist activities, they would be charged with a criminal offence.

Subsection 83.18(2) makes planning a terrorist activity a crime, whether or not the terrorist attack is actually carried out. Knowingly aiding a terrorist group to carry out an attack is also covered by the Criminal Code in subsection 83.18(1).

● (1310)

There cannot therefore be proof beyond reasonable doubt that an individual is aiding or planning terrorist activities or they would be charged under these clauses.

"Even so", our contrarian adds, "there must be suspicion that they are involved in terrorism. It would never affect people like me."

Well, that argument is short-sighted on two levels.

First, and more generally, let us remember the poem attributed to German pastor Martin Niemöller. There are many variations of the

poem, but the final line is pretty much universal, "Then they came for me—and there was no one left to speak for me". If we so easily give up the civil liberties of others, we cannot be surprised if later our own civil liberties begin to be eaten into.

Second, and more specific, the wording of the bill means that the erosion of our own civil liberties is near. During the clause-by-clause review of the bill at the public safety committee, it was discovered that the government had intentionally worded the clause relating to the recognizance with conditions so that people who were not themselves suspected of terrorist activity could be subject to such conditions. This discovery was made as the NDP proposed to amend the recognizance with conditions provision to ensure it was clear that only those determined to be potential participants in a terrorist activity could be subject to the clause.

The NDP is opposed to the imposition of recognizance with conditions completely, but we felt this amendment would at least prevent the imposition of recognizance with conditions on individuals not suspected of involvement in terrorism. It is a serious abuse that we felt the Conservatives surely did not intend.

However, it appears that we were wrong to think that this was an oversight and not a targeted attack on Canadians' civil liberties. A parliamentary secretary told the committee that the Conservatives would not support the amendment because the wording was specifically intended to have a broad sweep to ensure that it included people not themselves suspected of engaging in future terrorist activity.

There in the public safety committee, the Conservatives admitted they were bringing forward legislation with the intention of being able to enforce conditions or imprison up to 12 months people who had no involvement in terrorist activities under the pretense of a bill to combat terrorism. Even worse, the Conservatives are now using the tragic events in Boston last week to push through this attack on civil liberties.

Unfortunately, terrorism is a real threat in many countries, including our own, but Bill S-7 would do nothing to ensure that Canada would be protected from terrorism. When the provisions for investigative hearings, recognizance with conditions and preventative detention were previously in place from 2001 to 2007, they were not utilized once. However, in that time, the RCMP successfully foiled a planned attack in Ontario, leading to the arrest of so-called "Toronto 18".

Again, the RCMP was successfully able to stop a planned terrorist attack earlier this week without these Big Brother-esque provisions. Bringing in a legalization that allows the government to detain people without evidence that they are carrying out attacks is useless at best and in all likelihood, much worse than that.

I am not alone in condemning Bill S-7. I will leave the final word to Mr. Paul Calarco of the Canadian Bar Association:

There is no question that the prevention of terrorist action is vital to preserving our society. This requires effective legislation, but also legislation that respects the traditions of our democracy. Unfortunately, this bill fails to achieve either goal.

I urge the House to reject this legislation.

Government Orders

• (1315)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have heard a number of NDP MPs articulate why they oppose this legislation. I want to bring up Bill C-55, and members will see the relevance to my question.

During my comments on Bill C-55, I stated that:

Section 184.4 contains a number of legislative conditions. Properly construed, these conditions are designed to ensure that the power to intercept private communications without judicial authorization is available only in exigent circumstances to prevent serious harm. To that extent, the section strikes an appropriate balance between an individual's s. 8 charter rights and society's interests in preventing serious harm.

On that particular second reading debate, when we were talking about individual rights, it was interesting that on March 20, 294 members of Parliament voted in favour of it.

Does the member see some relevance in terms of individual rights and how the Supreme Court back then made the suggestion about the wiretapping, and equally, in 2004, the Supreme Court made reference to the investigative hearings as being within the Constitution? In fact, we now have the same type of law enforcement officers and experts saying that as in the other situation, it is a tool for investigations. This is another tool to assist in combatting terrorism.

Why would the NDP would vote one way—

• (1320)

The Acting Speaker (Mr. Barry Devolin): Order, please. The hon. member for Sudbury.

Mr. Glenn Thibeault: Mr. Speaker, I have a question for the Liberals. Comparing bill to bill, we do our job as parliamentarians to make these bills the best we possibly can, to ensure we protect Canadians when we bring forward legislation. However, when it came to Bill S-7, there were zero amendments and zero thought put into it by the Liberals to try to make the bill better for all Canadians.

Therefore, we have to ask this question. If the Liberals are looking at one bill, why are they not trying to make this bill the best that it can be as well?

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the one line that struck me in the member's speech was how easily the Conservatives were prepared to give up these civil liberties that we so cherish in our country.

What strikes me is that we advised the rest of the world that people should live the way we live, that they should live with democracy and the rule of law and with civil liberties. In fact, we send military around the world to intervene in other circumstances to bring these very values into existence in other countries and we even expect people in other countries, in the face of terror, to cling to these kinds of values and fight for them through bloodshed, yet in the absence of any evidence that we need to give up these civil liberties in our country and in the face of proof that our existing policing and law enforcement measures are effective in stopping terrorism, the Conservatives and the Liberals are so easily prepared to give up these things that we cherish so much.

Mr. Glenn Thibeault: Mr. Speaker, I thank my hon. colleague for his well laid out points in relation to my speech and the debate we have had in the House.

It raises this question. If the Conservatives were really serious about tackling the threat of terrorism, I do not think they would want to move forward with the cuts that we have seen in budget 2012 and in budget in 2013. Let me explain a few of these.

The CBSA border services saw cuts of \$143 million in budget 2012, which will affect 325 jobs in the front line, so the government will reduce the staff for folks coming in through the borders. CSIS will see cuts of \$24.5 million by 2015. Budget 2012 also scrapped the CSIS Inspector General, who was crucial for accountability to Canadians. The RCMP saw cuts of \$195.2 million.

We want to combat terrorism. We saw our RCMP officers do great work yesterday on the VIA Rail incident. We need to have more boots on the ground, more police officers and more great work by the RCMP to ensure that we protect Canadians.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I am pleased to rise to speak to Bill S-7.

This bill originated in the Senate, a non-elected House, and it seeks to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act.

I oppose the bill that is before us and I will briefly explain why. Following the events of September 11, 2001, the House of Commons passed an act on terrorism, the Anti-terrorism Act. This legislation was introduced and passed rather quickly. We were shaken and trying to find quick ways and solutions to deal with a feared problem, terrorism, not only in Canada but also abroad.

In the end, several parts of this bill proved useless. Over time, we realized that perhaps we had gone too far in the changes made to our basic rights, which are enshrined in the Charter of Rights and Freedoms. We learned a lesson from that exercise and, in 2007, that act was not renewed, precisely because we realized that several provisions were no longer appropriate in Canada. In fact, they never were. At the time, there had never been any investigative hearing required, or any situation that called for recognizance with conditions.

The bill before us directly affects basic rights that are highly valued in Canada. It provides for up to 72 hours of preventive detention, without the person being charged with anything. It also provides for up to 12 months' imprisonment where a person refuses to testify. That is a major assault on basic rights in Canada. We have to ask ourselves what reasoning can justify such an attack on a fundamental right in a free and democratic society. In my opinion, there is no justification.

Government Orders

For example, in the case of investigative hearings, a peace officer may, with the Attorney General's prior consent, ask a provincial judge to compel any individual who may have information about a terrorist act to appear before a judge. It is immediately apparent that we cannot agree to this bill. A peace officer may force anyone to appear before a judge in order to explain himself or herself or to testify. In Canada, however, even though the right not to testify is a fundamental right, there will be consequences if the individual exercises that right. The person may be detained, even imprisoned, for 12 months merely for refusing to testify. This is a fundamental attack and we must really ask ourselves whether it is warranted.

As we have seen in the Charter of Rights and Freedoms, certain rights may be disregarded where that is warranted. However, according to the principle that the Supreme Court has used on numerous occasions, such action must be warranted in a free and democratic society. I note that the judgment in *Oakes* established quite clear tests regarding what may warrant limiting fundamental rights in Canada. In my opinion, the bill before us does not meet those tests.

Several factors are involved, including preventive arrest. That is rarely seen in a free and democratic society. Some countries are accused of making unwarranted preventive arrests, and Canada is preparing to act like certain countries that we often criticize. Once again, we must ask ourselves on what reasoning this is based.

● (1325)

Peace officers may arrest an individual without a warrant where they believe that is necessary to prevent a terrorist attack. On what do they base their decision? On what do they rely? How can people defend themselves in those circumstances?

I guess people in Canada will say that they have nothing to worry about, that this does not concern them. However, if a peace officer is convinced that an act will be committed, if he or she assumes that an act will be committed, people will be in a poor position to defend themselves since there will be no evidence. There will merely be an apprehension. In that case, there can be no justification for a peace officer having such a considerable and substantial power.

Section 495 of the Criminal Code already grants a peace officer the following powers:

- (1) A peace officer may arrest without warrant
 - (a) a person who has committed an indictable offence or who, on reasonable grounds, he believes has committed or is about to commit an indictable offence;
 - (b) a person whom he finds committing a criminal offence; or
 - (c) a person in respect of whom he has reasonable grounds to believe that a warrant of arrest or committal, in any form set out in Part XXVIII in relation thereto, is in force within the territorial jurisdiction in which the person is found.

We can see that this power is subject to certain conditions. We already have a section in the Criminal Code that gives peace officers this power.

We have to ask ourselves what the reason is for wanting to give them even more powers, including the power to detain an individual for a period of 12 months simply for refusing to testify. That right is guaranteed by the Charter of Rights and Freedoms, among others. This is going too far.

This bill would have benefited from a debate in committee and several NDP amendments. However, the amendments were all turned down by the Conservative government.

Parliamentary committees listen to witnesses and experts and give them an opportunity to comment on bills. Members rely on witnesses' knowledge when amending legislation.

One of the witnesses was Denis Barrette, a member of the International Civil Liberties Monitoring Group. According to Mr. Barrette, when the Anti-terrorism Act was adopted in 2001, insufficient evidence was presented to justify reducing the protections guaranteed under the Charter of Rights and Freedoms.

The Toronto 18 were arrested without this legislation, which expired in 2007. The alleged terrorists who intended to attack a VIA Rail train were arrested by the RCMP and other Canadian security agencies the day before yesterday, once again, without legislation such as what we have before us today.

Bill S-7 is not justified. What we need to do in Canada is improve existing security agencies and give them the tools they need to defend our interests. That brings to mind the 2013 budget, in which the government cut air security services in Canada, then in the same breath talked about the problem of terrorism. The air security budget will be cut, especially in airports in remote regions like mine. Small airports may lose their security services.

We need to consider this: if the aim is to truly protect Canadians and the entire world with our security measures in Canada, these measures need to be improved through whatever means necessary. In my opinion, it is crucial that there be an adequate budget to maintain Canada's air security services, and the matter should not even be up for debate. Unfortunately, the budget will cut funding for these services.

Based on what we are seeing here, Canada is heading in the wrong direction by taking away Canadians' rights when we should be giving Canadians the tools they need to protect themselves.

● (1330)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague. This is a very important debate because the one thing we all share in the House is an abhorrence of the senseless and cruel violence we saw in Boston and elsewhere. We know where the Conservatives are coming from. Their agenda has always been clear.

The issue I have is that earlier I heard the Liberals compare Bill S-7 to Bill C-55. For the last two days, the Liberals have been saying that if the police ask for tools, we should give them the tools. One of the problems with that is there has to be judicial oversight. When we look at Bill C-30, which the Conservatives brought forward and was a widespread bill to allow all manner of intrusions into people's online private interests without warrant, based on the supposition or desire of a police authority, we see Canadians rejected it because it was an unnecessary tool, yet the government came back with Bill C-55, which narrowly defined wiretap provisions under judicial authority.

Government Orders

I would like to ask my hon. colleague why he thinks the Liberals think it is okay to have judicial authority and review on wiretaps but allow people and their relatives to be held without warrant without any kind of oversight provisions that we consider important.

• (1335)

Mr. Philip Toone: Mr. Speaker, frankly, it is very hard to ascertain the position of the Liberal Party on this, because it did not put forward any amendments to the bill in front of us today. Although Liberals say they think the bill is inadequate and incomplete, had they been serious about it, we might have heard from them much more elaborately as to what exactly this bill would need to be acceptable to the Canadian people.

Members on this side of the House are certainly being very principled insofar as this bill does not pass our smell test. This bill does not provide a proper balance between rights and protections of society. I would love to hear from the Liberals as to how exactly they would like this bill amended. Unfortunately, they did not bring forward any amendments.

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, I agree with the hon. member that he has done a good job of listing the problems with this bill. I would like to underscore the fact that from 2001 until 2007 we already had some of these draconian measures, and they were never used. They really have not helped or were needed. I also agree with him that what we really need is boots on the ground in our cities.

The terrorists that people in my riding of Thunder Bay—Superior North are worried about are gangs, as well as unlicensed, unregistered and illegal guns and the drug problem. The government cut the federal funding to municipal police departments a while ago. Those are the things Canadians are worried about. I wonder if he agrees with me.

Mr. Philip Toone: Mr. Speaker, I certainly do agree with my colleague. The biggest problem I see for security in this country is the cutbacks. It is certainly one of the biggest problems and one that is going to be felt for many years to come.

Police ask for more tools and for the federal government to take its place in defending the security of individuals in this country, and yet what we see in budget after budget is cutback after cutback to that very security. We have to wonder if the bill in front of us today is simply some elaborate political ploy to capitalize on terrorist attacks that have recently taken place instead of actually doing the work that needs to be done on the ground to build up our security apparatus, protect Canadians and ensure that the safety of Canadians is paramount and not a play thing for political gain.

[*Translation*]

Mr. José Nunez-Melo (Laval, NDP): Mr. Speaker, all of my colleagues on this side of the House have clearly expressed their opposition to this bill. However, I am disappointed that there were barely seven or eight members on the other side of the House today to listen to the arguments put forward by my honourable colleagues about the many problems with this bill.

It is worth recalling that everything in it comes from Bill C-36, which was tabled in 2001 following the events that occurred in the United States. From that time on, an international policy was developed and Canada has unfortunately simply been following it.

Canada should not even be involved, because everything was done according to the foreign policies of our neighbours to the south. In reality, Canada was never really exposed to these kinds of constraints. Canada's foreign policy has always been fair, particularly in terms of non-interference in the foreign policies of other nations. In a word, Canada has no enemies.

On the other hand, after those events, the government of the day felt that it was important to introduce anti-terrorism legislation, so it did. However, it was pointless because we are not in that situation.

My honourable colleagues from this side of the House said that we did not really need to impose all these constraints on all Canadians, despite the efforts that were made to improve the resolution and return to the wording that was rejected in 2007.

Giving powers to certain peace officers—such as police and military personnel—to apprehend ordinary citizens suspected of committing acts of terrorism is pure madness.

Furthermore, everyone knows that the Canadian legal system already has measures to prevent actions like these, which are contrary to common sense. The effective way to combat them is to provide our public safety and security systems with the funds they need, yet in last year's budget and even this year's, cuts to such funds were and are being made, which is absurd. In other words, members on both sides of the House are being illogical. The Liberals seem unable to seize this opportunity to send a clear message to the Conservatives about protecting public safety without compromising basic rights.

• (1340)

Do not forget that the 2012 budget made major cuts of approximately \$687 million, and the Canada Border Services Agency and the Canadian Security Intelligence Service suffered the most as a result.

These two agencies, which have some latitude and the power to act in order to detect acts that could potentially endanger Canadians, have no power over Canada's foreign policy, and Canada is not really exposed to a genuine terrorist threat.

Peace officers can interrogate an individual if something abnormal is suspected, whether on cultural, racial or religious grounds. The individual can be forced to appear in court, before a judge, to explain certain actions or types of behaviour that the peace officer considered abnormal. In a way, laws that protect the civil rights of citizens are circumvented as a result of aggressive action of this kind.

New Democratic members are opposed to Bill S-7 because there is no justification for it. To begin with, the bill would amend the Criminal Code. Our view is that the Criminal Code is fine just as it is, although it could be improved in certain areas. Secondly, many of the amendments suggested in committee were quickly rejected by most Liberals and Conservatives.

Government Orders

The bill would also amend the Canada Evidence Act. Potentially sensitive information about the trial of an accused could be disclosed, which in my view would be a blatant infringement of human rights.

The bill would also amend the Criminal Code to add new offences. However, it is impossible to determine ahead of time whether a person who has left the country or attempted to do so will commit a terrorist act. These are subjective questions linked to suspicions and unsubstantiated beliefs.

I can see that even though several colleagues on the other side of the House have arrived, they do not appear to be really interested in listening to what we have to say about this bill even though they should be willing to admit that they are on the wrong track in a way.

As I was saying, and I will repeat it once more, the key factor to be taken into consideration is the budget cuts to the agencies responsible for public safety. I hope that the members who are now entering the House will understand precisely what it is we wish to say, and I trust that they will make changes to the bill before it is voted upon in the next few minutes or days so that we can really tackle this issue.

• (1345)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I will pose a question to the member in regard to his reference to human rights.

As we all know, it was Pierre Elliott Trudeau who brought home the Charter of Rights and Freedoms for all Canadians, a document that has been valued greatly by all Canadians ever since.

Bill C-55 was a tool that allowed for wiretapping situations without a warrant. Bill S-7, the bill we are debating today, is a tool that would allow for investigative hearings. In that regard both bills, in essence, will have impact on individual rights. Both those bills had an opinion from the Supreme Court saying that they are indeed within the Constitution, yet on the one hand we had the NDP supporting one bill, that being Bill C-55, and opposing the other, that being Bill S-7. Both bills will have an impact on individual rights, yet the NDP somehow voted in favour of one while it is going to be voting against the other.

I agree that the Conservatives have done a disservice with their cuts, which will have an impact on the research that could be done in combatting terrorism. However, I would ask the member if he would

The Acting Speaker (Mr. Barry Devolin): Order, please.

The hon. member for Laval.

[*Translation*]

Mr. José Nunez-Melo: Mr. Speaker, my hon. colleague for Winnipeg North has been expressing himself very well about old topics and old arguments from previous parliaments. However, I think that we should return to what is currently under discussion, which is Bill S-7.

This is about showing utmost respect for human rights. That is what makes living in a democracy good.

As to his allusion, I believe that the context was very different at that time. I do not really think that I can provide him with further details.

• (1350)

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, my colleague appeared to have some reservations about the constitutionality of Bill S-7 in terms of rights being respected.

The hon. member for Gaspésie—Îles-de-la-Madeleine also suggested that this bill might not meet the constitutional test.

I recall a story about Department of Justice officials reviewing bills hastily so that the bills would be introduced in Parliament more quickly, even though the fundamental rights of Canadians could be undermined.

That makes me wonder whether my colleague thinks, as I do, that the process should be tightened up, given the allegations that we heard not long ago.

Tightening up the process for bills sent to the House of Commons and the Senate would enable us to ensure that the bills we are currently debating undergo a rigorous test and that they are valid and constitutional. All of this would be done prior to debating the bills in the House.

Would my colleague like to comment on that?

Mr. José Nunez-Melo: Mr. Speaker, I thank the hon. member. He is absolutely right.

I agree that there should be a more thorough and meaningful review process before the bills are introduced. The bills should also be validated, checked and confirmed through other processes.

Unfortunately, this bill comes from the Senate. Everyone here knows how we feel about the Senate. Therefore, I do not think it would be a good idea to continue with this process, which is an affront to justice.

[*English*]

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, we have been talking about terrorism for the past couple of days. There is no question that everyone in the House wants to do everything possible to protect Canadians against terrorism, and for anyone to suggest otherwise is just simply wrong.

We were all sickened by what happened in Boston last week. As it turned out, I was on my way to Washington at the time and saw increased security in that city. A lot of people were very concerned and troubled about the events in Boston and wondered whether there would be a spillover effect in that city. Frankly, we are all concerned, and have been concerned, about that possibility.

Bill S-7 would not do what the government claims it would do. The fact that it was introduced suddenly this week, surprising everyone, causes us considerable concern.

Back in 2006 these provisions were in the Anti-terrorism Act that came into force in 2001. After the terrible tragedy that happened that year, parliamentarians felt it was important to ensure that our legislation was up to international standards, and we included provisions that are contained in Bill S-7.

Statements by Members

At that time, the bill had a sunset clause. In 2006 all members of the House of Commons voted as to whether or not the sunset clause would be extended. That was defeated, and it was defeated because none of the provisions now contained in Bill S-7 were ever used. Police, CSIS and other authorities in this country were able to carry out their responsibilities to keep us safe without the need for the provisions now found in Bill S-7.

The Conservative government has waited seven years to bring this legislation forward. This legislation has been sitting on the order books for months now, and the government did not deem it necessary to bring it forward. That was because it had been advised by authorities that it was not necessary and that it would trample on the civil rights and freedoms of Canadians to a level that is unnecessary, damaging and, frankly, frightful. That is not necessary.

We, along with people outside this chamber, have said that the only reason this legislation has been suddenly dropped on the table for debate this week is for partisan political reasons. Surely to heaven the Conservative government recognizes the importance of what happened in Boston. Surely the government recognizes that this is not an issue that we should be playing politics with, nor should we be playing politics with the civil liberties and human rights of Canadians.

All NDP members have stood in our places and voiced our objections to Bill S-7, and there will be others. Members in the far corner are going to support this legislation because they originally brought it forward, and they feel it is sufficiently expedient to pass it.

I will describe what I would like to see the government do. If the government is serious about dealing with terrorist threats, it should restore the \$143 million that is being cut from CBSA. That would ensure that we have the resources at our borders to properly screen people who may want to do harm to Canadians and Canadian property.

● (1355)

I would like to see the cuts of \$24.5 million by 2015 imposed on CSIS restored. The budget of the CSIS Inspector General was scrapped in 2012. The RCMP saw cuts of \$195.2 million.

If we do not have boots on the ground, and if we do not have the individuals in the field who are directly involved with the investigation of these matters, how can we suggest that we are serious? It is simply not good enough to bring in a bad law and say that we have taken care of it and that everyone is safe. It just does not work that way.

Canadians know that when they cross the border, there are going to be fewer RCMP and CSIS agents available to protect them and to do the work necessary, such as the screening and investigation. That is where we need to be putting our money and resources.

I urge the members opposite, if they are serious about combatting terrorism, to put money back into resources so that we have people on the ground who are able to do the work necessary to keep Canadians safe. Bill S-7 does not do it. That is why my colleagues and I have risen to object strenuously, and we will not be supporting it.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Dartmouth—Cole Harbour will have three minutes remaining when this matter returns before the House.

STATEMENTS BY MEMBERS

[English]

TEEN CHALLENGE GTA WOMEN'S CENTRE

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, this past Sunday, I had the pleasure of taking part in a special friendship celebration service at Wilmar Heights Baptist Church in my riding of Scarborough Centre. I was honoured to meet Reverend Dr. Tai, his lovely wife Marian and members of the fellowship. What made this service particularly special was that it was attended by visiting Rev. Norm MacLaren and by the Teen Challenge GTA women's choir.

The Teen Challenge GTA Women's Centre is located just north of Toronto, and it runs a 12-month, faith-based residential alcohol and drug addiction rehabilitation program. Several members of the choir shared their personal stories of addiction, depression and fear and their journey back, through the inspirational healing of the GTA Women's Centre. I was truly moved.

On behalf of my fellow Conservative colleagues, I would like to thank Wilmar Heights Baptist Church and Teen Challenge GTA Women's Centre for all of their wonderful work and for helping so many deserving women in our community.

* * *

● (1400)

[Translation]

QUEBEC CITY ARTIFACTS

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, the Conservative government has decided to strip Quebec City of millions of artifacts. Pieces of history from the cradle of French civilization in North America will now be stored in warehouses in the Outaouais region.

Today the Government of Quebec requested that these artifacts not be transferred. This decision is unacceptable and outrageous. Numerous archaeological digs have uncovered these artifacts, the only witnesses to our shared history. Do not forget that UNESCO has recognized our city as a world heritage site.

Why does this government want to sever all connections with our history and with who we are? For a year now, the NDP has been calling on the government to leave these artifacts in Quebec City, not to rob us of our history and these reminders of how we came to be the proud people we are today.

By cutting 45 jobs at Parks Canada, limiting access to historic sites and putting our artifacts in storage, the Conservatives are showing disrespect, contempt even, towards all Canadians.

*Statements by Members**[English]***ST. JOHN AMBULANCE**

Mr. Ed Holder (London West, CPC): Mr. Speaker, today is St. John Ambulance Day on the Hill. Representatives from St. John are meeting with senators and members of Parliament to talk about the important work they do.

This morning I attended one such meeting with several colleagues. I was impressed to learn that St. John Ambulance is Canada's oldest charitable organization, having started first aid training when Sir John A. Macdonald was Prime Minister of Canada. In fact, the first St. John Ambulance brigade was in Canada's 10th largest city, London, Ontario.

Each year, St. John certifies over 550,000 Canadians in first aid and CPR. Because of this, 23,000 Canadians annually receive assistance from someone trained by St. John Ambulance. This is only part of the work they do. In addition to training first responders, they provide therapy dog services, and we see them at different community events everywhere.

This evening, all parliamentarians are invited to a reception, hosted by the Speakers of both the House and the Senate, to honour St. John Ambulance. Members who attend could win an AED defibrillator, which they could donate to an organization of their choice in their riding. I hope to see many members there tonight.

* * *

*[Translation]***NATIONAL VICTIMS OF CRIME AWARENESS WEEK**

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I rise today with a heavy heart, yet at the same time with necessary hope, to mark National Victims of Crime Awareness Week.

Across the country, events are being held to raise public awareness about the hurt and loss that results when a criminal act targets an innocent individual. This hurt and loss reaches beyond the known victim, as he or she is a loved one—father, mother, brother, sister, friend.

[English]

This week offers all of us, especially legislators, the opportunity to reflect on the place of victims in our legal system and whether we have done enough to assist them on the arduous road on which they find themselves in search of healing and justice.

There is a particular poignancy to this year's National Victims of Crime Awareness Week in light of the tragedy of Rehtaeh Parsons, and of course, of last week's terrible events in Boston. The days that follow should also remind us that we must do our utmost to ensure public safety so as to reduce victimization in Canada.

* * *

SPORT MATTERS

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, as a former president of Rowing Canada Aviron and a board member of the Canadian Olympic Committee, I rise today to speak to the importance of health and fitness.

Fitness and active choices can easily be integrated into our day. It is for this reason I am proud of organizations such as Sport Matters, which promote healthy living and the value of sport and physical activity. I am particularly pleased that Sport Matters supports all forms of athletics, from the playground to the podium. It values recreational activities just as much as the gruelling fitness regimens of elite athletes. Having seen young school children grow and develop into Olympians who represent Canada on the world stage, I know the importance of fitness at all levels.

I wish to also acknowledge my colleague, the member for West Vancouver—Sunshine Coast—Sea to Sky Country and his Bill C-443, national health and fitness day act. His legislation will serve to ensure a day for all Canadians to be reminded of the importance of health and fitness.

* * *

● (1405)

ST. JOHN AMBULANCE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, there is one group in Canada that is so much a presence at public events that it often goes unnoticed, that is, until we need it. That group is the St. John Ambulance, which provides first aid and emergency assistance at sporting events, parades, concerts, festivals and public gatherings of every sort. This service is provided at 250 events per day across the country, but it is only part of what this community organization does every day in every province and territory of Canada with its 25,000 volunteers and over two million hours per year of volunteer time. It teaches first aid and CPR to help citizens save lives, runs programs for young people, supports a therapy dog program with great success, and supplies first aid kits and safety supplies for home and work.

Today we recognize the contribution of the St. John Ambulance organization to our communities and our country. I ask all hon. members to join with me in this recognition and in thanking St. John Ambulance for its great work.

* * *

WORLD CATHOLIC EDUCATION DAY

Ms. Kellie Leitch (Simcoe—Grey, CPC): Mr. Speaker, it is my pleasure to rise today to inform the House that World Catholic Education Day will be celebrated throughout the world on May 9.

Statements by Members

In Canada, Catholic education is an integral contributor to our Canadian identity and culture. Catholic education has helped define Canadian society through its deeply rooted teaching of service to the community and the ongoing promotion of respect and dignity of all persons. The presence of Catholic education is based on the values of peace, justice and respect, values that are inherent to our Canadian identity. The accomplishments over the last 170 years of the Canadian Catholic education system, both English and French, have been an integral part of the growth and spirit of Canada.

I would like to thank the schools in my riding of Simcoe—Grey, including Father F.X. O'Reilly, Holy Family, Jean Vanier, Monsignor J.E. Ronan, Our Lady of Grace, Our Lady of Lourdes, Our Lady of the Assumption, Prince of Peace, St. James, St. Mary's and St. Paul's for their huge contribution to our community.

Congratulations to all of those involved in Catholic education in our provinces and territories as they join with their colleagues across the world on May 9.

* * *

CANADA-U.S. RELATIONS

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, Canada and the United States are best friends. Our countries share the largest trade relationship in the world, a 9,000-kilometre border, three oceans, \$1.8 billion in trade every day and \$600 billion in trade exports and imports last year. Of 50 states, 35 count Canada as their number one export market. As well, there are over 4,500 Canadian-owned businesses in 17,000 U.S. locations.

We are best friends, with family connections in every state, province and territory. Today I thank Canada's best friend, the United States of America, its Congress, its Senate and President Obama for our great and enduring friendship. May the key to our future friendship continue to be the stone solid economic link between our countries.

* * *

[*Translation*]

UNIVERSITY OF THE THIRD AGE IN TERREBONNE

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, today I have the distinct pleasure of welcoming many students from the Université du troisième âge de Terrebonne. Affiliated with the Université de Sherbrooke, it offers university courses to seniors, whether their goal is to overcome isolation, to exchange ideas or simply to continue their personal development.

These students continue to play an important role in our communities. They are an inspiration to us all because of their passion and desire to remain active, as well as their thirst for knowledge.

I would like to thank the many volunteers and resource people who get involved every year to enable the Université du troisième âge to pursue its activities across Quebec. They prove beyond a shadow of a doubt that we are never too old to learn.

[*English*]

THE HOLOCAUST

Mr. Mark Adler (York Centre, CPC): Mr. Speaker, I rise in the House today to recognize some remarkable Canadians. Fifty-seven Holocaust survivors and their families have travelled from across Canada for the National Holocaust Remembrance Day ceremony organized by the Canadian Society for Yad Vashem and the Zachor Coalition, which will take place in a short while at the Canadian War Museum.

I had the distinct pleasure of meeting these survivors earlier today at a ceremony where they were honoured for their strength, courage and resilience and for not only surviving the greatest atrocity in human history but for continuing to preserve the memory of those who did not survive and for ensuring that the lessons of the Holocaust are not forgotten. I ask my colleagues in the House to join me in recognizing and thanking them for their fundamentally important contributions to Canadian society.

* * *

● (1410)

NATIONAL DAY OF REMEMBRANCE AND ACTION ON MASS ATROCITIES

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, today marks the National Day of Remembrance and Action on Mass Atrocities. Three years ago, it was my great honour to request and receive unanimous consent in the House to establish this national day. It is a day to commemorate all victims of the worst forms of human evil, to think about the horrors that have been and to imagine the better world that could be.

T.S. Eliot wrote that April is the cruellest month, mixing memory and desire, and April does have a history of cruelty. This month marks the anniversary of mass killings in Rwanda, Cambodia, Kosovo, Bangladesh and elsewhere.

This is a time for memory of past wrongs and the desire for a better future. This is a time to commit to our collective responsibility to act to prevent mass atrocities.

* * *

NIGERIA

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, media reports indicate that at least 185 people lost their lives in the chaotic battle between Nigeria's military and the violent Islamist extremists, which saw insurgents target neighbourhoods with rocket-propelled grenades. While the exact number of fatalities is not yet known, this incident stands as one of the deadliest encounters so far with the religious extremists of Boko Haram.

Since 2009, Nigeria has been facing a religious extremist insurgency carried out by the radical Islamist group Boko Haram and Ansaru. It has claimed the lives of 2,000 to 3,000 innocent civilians. I deeply regret the loss of life and express my deep condolences to the people of Nigeria.

This violence highlights the danger of terrorism and the global need to address this threat. Our government firmly supports the people and the government of Nigeria in their efforts to bring about a secure, stable, unified and democratic country.

* * *

THE HOLOCAUST

Hon. Irwin Cotler (Mount Royal, Lib.): Holocaust remembrance reminds us, as the survivors know only too well, of horrors too terrible to be believed but not too terrible to have happened. The Holocaust, as Elie Wiesel reminds us again and again, was a war against the Jews in which not all victims were Jews, but all Jews everywhere were targeted victims.

However, Yom Hashoah ve Hagevurah reminds us also, on this 70th anniversary of the Warsaw ghetto uprising, of the heroic, defiant struggle of a starved, decimated Jewish remnant, the most heroic act of resistance in the whole of the Second World War and now a universal symbol of courage and dignity.

I say to the survivors here today that they are the true heroes of humanity. They witnessed and endured the worst of inhumanity, yet they somehow found in the depths of their own humanity the courage to go on, to rebuild their lives as they rebuilt our communities. Together with them, we pledge to never again be silent or indifferent in the face of evil and to speak and to act always on behalf of our common humanity.

Plus jamais. Never again.

* * *

THE NORTH

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, as a northerner, I noted that the new Liberal leader did not step one foot north of 60 during his entire leadership campaign. That is an interesting judgment call. This seems to show he either does not want to hear northern voices on important issues or he takes northern votes for granted, or perhaps both.

Since 2006, our Prime Minister has been to the north more than any other prime minister in the history of Canada. As Yukon's member of Parliament, I have had the privilege of joining our Prime Minister on his annual northern tours.

Whether it is to sign historic resource revenue-sharing agreements, expand national northern parks or announce high Arctic research investments, it is clear that our government values and respects the north and backs up its words with actions.

Economic action plan 2013 contained record levels of investment in northern jobs, housing and infrastructure. If they compare our record of achievement with the lack of judgment and experience of the Liberal leader, northerners have a clear choice. It is our government.

* * *

• (1415)

INTERNATIONAL INVESTMENT

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, the China-Canada foreign investment promotion and protection act is

Oral Questions

a badly negotiated agreement that binds Canadian law to Chinese law for the next 31 years.

Last night in a coalition of old-line parties, Conservatives and Liberals joined together to defeat the NDP's motion on the FIPA. These parties refused to formally abandon a flawed agreement that is clearly not in Canada's best interests.

Do any Conservative or Liberal MPs think that a Canadian company going up against a state-owned Chinese company would receive fair and equal treatment in a Chinese court?

Under this agreement, Chinese companies would also gain new rights to buy up Canadian resource industries, undermining provincial rights to control natural resources, and yet Conservatives and their allies in other parties are fine with this. Canadians deserve better, and in 2015 they will have a chance to vote for real change.

* * *

THE ECONOMY

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, our government is focused on what matters to Canadians, jobs and economic growth.

Our new 2013 economic action plan is keeping taxes low while ensuring economic prosperity. After all, alone among the G7, Canada continues to receive the highest possible credit ratings with a stable outlook from all the major credit rating agencies.

The OECD is projecting Canada to lead the G7 in economic growth over the next 50 years. KPMG ranked Canada the most tax-competitive economy among mature markets.

On the other hand, the NDP would increase government spending by \$56 billion, implement a \$20 billion job-killing carbon tax on Canadians that would raise the price of gas, food, electricity and everything else, and implement a \$34 billion tax increase on job creators.

Thanks to the leadership of this Canadian Prime Minister, our government will remain focused on jobs and economic growth and fight the NDP's reckless economic policy.

ORAL QUESTIONS

[English]

PUBLIC SAFETY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, I would like to begin by thanking law enforcement officials, as well as the brave religious leader from the Toronto Muslim community who, as we learned yesterday, helped to prevent a potentially devastating attack on Canadian soil.

[Translation]

Could the Prime Minister provide an update on the arrests that were made yesterday and give us the most recent information on the investigation into this terrorist plot?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I would also like to congratulate the RCMP, CSIS and local police forces for their work in uncovering this terrorist plot.

[English]

I want to congratulate also the RCMP, CSIS and local police forces for the work they have done to lead to the charges we have seen regarding this terrorist plot. I also want to express thanks for the co-operation we received from American authorities, from the private sector and from Canada's Muslim community in these activities.

These terrorist threats are unfortunately a part of the global reality. Our government is committed to working with our police and security agencies to ensure we do everything we can to keep Canada safe.

* * *

[Translation]

THE ECONOMY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, I thank the Prime Minister for that update. Under the circumstances, I understand that he cannot tell us more.

Yesterday, representatives from the Bank of Canada confirmed to members of the Standing Committee on Finance that they could do nothing more to stimulate the Canadian economy until we do something to reverse the growing trend of household debt soaring to record highs. Household debt in Canada represents a real threat to our economy.

Instead of sending his Minister of Finance out to talk mortgage lenders into increasing rates, why does he not deal with household debt?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we have taken measures to change how Canadians spend and to control the level of debt in Canada.

• (1420)

[English]

As members know, officials at the Bank of Canada and the Minister of Finance have spoken regularly about our concerns about debt. Obviously, Canadian households have been borrowing because interest rates are low and they feel secure about their economic futures in terms of the housing sector. However, we have urged caution in terms of the accumulation of debt and have taken some measures to modify that particular tendency.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, it is not a "measure to modify the tendency" to get his Minister of Finance to call banks and insurance companies asking them to raise mortgage rates. That does not help Canadian families deal with their debt.

Let us put it into perspective. The Bank of Canada and the IMF have already downgraded their economic growth projections for Canada. That will translate to a \$9 billion loss for our economy and roughly 150,000 jobs. Apparently, like his Minister of Finance, he does not understand that asking them to raise mortgage rates is not a

plan to deal with household debt. Will the Prime Minister start taking real action to deal with the real issue of household debt in Canada?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again to put this in context, Canadians have been borrowing and have been expanding their holdings of housing because they have felt very confident about their financial futures. That is not surprising, given the relatively strong performance of the Canadian economy coming out of the recent recession, and obviously combined with low interest rates.

That said, the Bank of Canada and the Government of Canada have expressed concerns about the exposure of some households. That is why we have taken particular action on a range of mortgage rules to ensure that the sustainability of our household sector continues long into the future.

* * *

CANADA-U.S. RELATIONS

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, with 280,000 young people losing their jobs and only 40,000 recovered, Conservatives should be hanging their heads in shame and not applauding.

[Translation]

That is how the Conservatives deal with economic instability. They bring in austerity measures, increase taxes on consumer goods and watch the Americans propose a new tax to cross the border, which will devastate the economy on both sides of the border.

Why did the Conservatives not tell the Americans that this new tax was unacceptable?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, I would like to inform my colleague that this government will do everything it can to make sure this proposal does not go through.

International trade is important to both countries. More than 8 million American jobs rely on trade with Canada. We will do whatever it takes to make sure this proposal does not go through.

* * *

[English]

TAXATION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the fact is Conservatives are not getting the job done. Conservatives still refuse to admit they broke their promise and are raising taxes. Instead we witness the daily spectacle of Conservative ministers claiming that raising taxes is not raising taxes.

Will the Minister of Finance admit he made a mistake when he imposed new taxes on iPods and fishing rods, like he did when he admitted that he imposed, by mistake, new taxes on helmets for children?

Hon. Jim Flaherty (Minister of Finance, CPC): Just to be clear, Mr. Speaker, there is no tax on iPods, even your iPod.

Oral Questions

For seven years we have been reducing taxes on Canadians more than 150 times and every time the NDP opposition has opposed reducing taxes for Canadians. Now the NDP is fighting for special breaks for companies from China and a \$21-billion carbon—

The Speaker: The hon. member for Papineau.

* * *

[Translation]

EMPLOYMENT

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, in these tough economic times, young Canadians need more support, not less.

Yesterday, I asked why the government had reduced the number of summer jobs available to young people. Today, I want to know why the number of young Canadians getting help through the youth employment strategy dropped from 113,000 in 2005, to 59,000 recently.

Can the government tell us how it is going to address this situation and help our young people?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the real question is why does the Liberal Party keep voting against measures to help people?

For example, the Liberal Party voted against the youth employment strategy, the apprenticeship incentive grant, the textbook tax credit, the child tax credit, the pathways to education program, the broadening of the tuition tax credit, and so on.

There is only one party working for our youth and for young Canadians, and that is the Conservative Party.

• (1425)

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, that is precisely the problem: those government programs got us nowhere.

We are talking about a 48% drop in the number of young people getting help through this federal program. There is obviously a significant trend of disinvestment in our youth.

Why did the number of young people getting help through the youth employment strategy drop so drastically, when their needs are increasing exponentially?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, there is a party, this government, which is investing in youth, and there is another party, the Liberal Party, which votes against these investments.

[English]

For example, let me just repeat the various things the Liberal Party has voted against to help young Canadians: against the youth employment strategy, against the apprenticeship incentive grant, against the textbook tax credit, against expanded RESPs, against the pathways to education program, against the tools tax credit, against helmets to hard hats, against expanded tuition tax credits, and I could go on and on. It is this party that is investing in—

Some hon. members: Oh, oh!

The Speaker: The hon. member for Papineau.

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, this is exactly what I am concerned about: the fact that the government continues to talk a good game about all its investments, while at the same time it is cutting the number of young Canadians served. This is of real concern to many middle-class parents with kids in their twenties who cannot afford to move out and for all too many young people struggling to make their way into an increasingly tough job market. It underlines just how out of touch the government has become that in the midst of rising youth unemployment, it has cut in half the number of young Canadians served by its youth employment strategy. Why?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, in fact, what is readily apparent is that the leader of the Liberal Party has no idea what his party's own record is on a number of programs that support young people, but that is not surprising. As head of Katimavik, the Liberal leader drove an organization to a one-third dropout rate, while wasting millions of taxpayers' dollars, spending \$28,000 for every young person. We can do better. We are doing better and hope the Liberal Party will start to vote for the things that are assisting young people.

* * *

TAXATION

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, after the NDP pointed it out, Conservatives acknowledged—

Some hon. members: Oh, oh!

The Speaker: Order, please. I recognized the hon. member for Sudbury, and he now has the floor.

The hon. member for Sudbury.

Mr. Glenn Thibeault: Mr. Speaker, as I was saying, after the NDP pointed it out, Conservatives acknowledged they made a mistake on hockey helmets, but budget 2013 is full of mistakes. There is \$333 million in new tax hikes, raising the cost of thousands of sporting goods from bikes to fishing reels, even to diving suits. Why are Conservatives making life more expensive in the middle of a shaky economic recovery?

Will they now give middle-class and all families a break and remove other sporting goods like bicycles from their tax grab?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, as the member opposite knows, we are removing the tariff on hockey helmets and other sporting equipment, hockey sticks, and other items. This is a benefit for Canadian consumers. We want to watch and see how these prices are translated into retail prices and we will watch that carefully over the next several months.

[Translation]

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, the minister wants the NDP to vote in favour of a \$333 million tax increase on everyday consumer products, but we will not do that.

Oral Questions

Too many Canadian families are struggling to make ends meet and pay their bills at the end of the month, not to mention the fact that household debt is reaching record highs.

The Conservatives finally admitted that they were wrong to increase tariffs on hockey helmets. When will they also admit that this increase is a tax on thousands of other consumer products?

• (1430)

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the general preferential tariff was a foreign aid program designed in the 1970s to help developing countries. Now we have still have on the list, up to the budget, South Korea, Thailand, and China, all of which are developed economies. I do not know why the members opposite want to hurt Canadian workers and Canadian jobs by maintaining preferential tariffs for developed economies.

* * *

[Translation]

NATIONAL DEFENCE

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, the Conservatives are inconsistent on more than just taxes. The Minister of National Defence is obviously overwhelmed by what is happening in his department. He is once again trying to blame others for the danger pay fiasco involving Canadian soldiers in Afghanistan. The minister still cannot explain why some 30 Canadian soldiers in Mazar-e-Sharif are receiving less danger pay than those in Kabul.

When will the minister take responsibility and give all soldiers posted to Afghanistan the same danger pay?

[English]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as I have explained a number of times now, this government will always put the interests of the Canadian soldiers first. We will always treat them fairly. We will always give them the equipment, support, and programs that they need.

With respect to Mazar-e-Sharif, I have directed the department to take measures to ensure that personnel deployed there are not penalized for an administrative error. We have also asked that this arm's-length administrative committee that put these changes forward re-examine this.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the minister can try to duck and cover up for his decisions, blame it on administrative errors, claim to be re-examining the decision, but the facts are clear. The minister is reducing danger pay for our soldiers in Mazar-e-Sharif.

All of the women and men of the Canadian Forces are facing dangers every day in Afghanistan, yet the minister is failing to treat the troops fairly. Why will he not take responsibility and actually reverse the decision?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, what we constantly get from the member is deliberate misinformation with respect to this file and others. What we saw was an administrative error with respect to this designation. There has

now been an intervention made to ensure that this effort to claw back funding not occur.

With respect to the other issue, again, it was as a result of a recommendation, a direction not taken by me, not taken by the government, but taken upon the recommendation made, including members of the armed forces themselves. The member knows that. What we know is that his party and he himself constantly vote against the improvements and investments that we have made in the Canadian Armed Forces.

* * *

[Translation]

INTERNATIONAL TRADE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, here is another example of the Conservatives' amateurism.

There is a huge difference between good and bad trade agreements with emerging countries. However, the Conservatives do not understand that. The Canada-China agreement will tie the hands of provincial and municipal governments for 30 years. It will allow Chinese corporations to challenge our environmental laws and drag Canada before secret tribunals.

When will the Conservatives, who are supported by the Liberals, start defending the interests of Canadians instead of encouraging foreign interests to take control of our natural resources?

[English]

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, it is pretty rich, this coming from the NDP, a party that is looking to give special breaks to Chinese manufacturers but will not actually protect Canadians who want to invest in China.

This treaty is intended to create jobs and growth in Canada by protecting Canadian businesses in China. It will give Canadian investors in China the same types of protections that foreign investors presently have in Canada.

Our government has been clear. Unlike the NDP, our focus is on creating jobs and economic growth right here at home.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, the Canada-China FIPA ties the hands of Canadian governments, exposes taxpayers to huge liabilities, and fails to effectively help Canadian investors break into China's market. Now, by delaying approval without any explanation, Conservatives are creating confusion and hurting our economy.

Conservatives claim to be proud of this agreement, yet will not move to implement it. Why is that? If there are no problems with this FIPA, why is it still sitting on the Prime Minister's desk six months after it was eligible to be ratified?

•(1435)

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, Canadian investors have applauded this treaty. It sets out a clear set of rules under which Canadians make investments in China. It also sets out a clear set of rules under which investment disputes are resolved. Sadly, the NDP is proving once again that it is opposed to trade and investment.

On this side of the House, we will continue to focus on the priorities of Canadians and not the special interest groups that the NDP represents.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, the NDP is opposed to incompetence. Only the Liberal Party is buying the Conservatives' explanation here.

Maybe the government is delaying because the FIPA allows Chinese companies to sue Canada in unaccountable tribunals, holding hearings in secret; or because it allows state-owned enterprises to undermine Canadian ownership of natural resources; or maybe because it does nothing to remove existing barriers keeping Canadian investors out of China.

When will Conservatives stand up for Canada and admit it was a mistake to sign the Canada-China FIPA?

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the NDP has consistently opposed our agenda to open up new markets for Canadian investors and exporters—

Some hon. members: Oh, oh!

The Speaker: Order. I will ask members once again to wait until the minister has finished answering before they applaud.

The hon. Minister of International Trade.

Hon. Ed Fast: Mr. Speaker, the NDP has consistently opposed our agenda to create jobs in Canada and to drive economic growth through trade and investment.

On this side of the House we are going to continue to focus on the priorities of Canadians. Unfortunately, the NDP just does not get it. It is anti-trade and anti-investment. It has no credibility on those issues.

* * *

[Translation]

GOVERNMENT PROGRAMS

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, we recently learned that the Conservatives gave \$20 million to a number of universities and schools, many of which have policies that are inconsistent with the Canadian charter, particularly with respect to homosexuality. The Canadian Association of University Teachers put a fine point on it: taxpayers' money should not be used to fund schools with discriminatory practices.

What criteria are the Conservatives using to decide which institutions to fund?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, all post-secondary schools accredited

Oral Questions

by the provinces and by our government under the knowledge infrastructure program have followed the same rules. The student code was not a factor in obtaining funds under the program. We focused on the goal of the program, which is to create jobs for the future in the knowledge industry.

[English]

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, we would like to know what those rules are.

The government cannot claim to oppose discrimination while at the same time funding private institutions with discriminatory policies. We have asked repeatedly why Crandall University received \$6 million in this year's budget. Three weeks after this was announced as a highlight, the government cannot seem to find that page in its own budget. This is an institution that has been a constant source of controversy for its anti-gay hiring policies. Funding it should be unacceptable in Canada.

Does the minister really stand behind this policy of giving public funds to private institutions with discriminatory policies and practices?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, as I said in French, all accredited post-secondary institutions in Canada were eligible for funding under the knowledge infrastructure program.

In the 240 colleges and universities that benefited from that program, the student codes were not considered as criteria for receiving funding.

* * *

EMPLOYMENT

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, middle-class families are paying more and more to send their kids to college and university. This year, we have the largest tuition increases in almost ten years. At the same time, the Conservative government is cutting funding for the summer jobs program by 25%. These are jobs that help students pay for their education.

Why is the government doing less to help students work, while families and students are paying more for tuition?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, that was a question without facts at all. In fact, we increased the dollars that went into the youth employment strategy, including adding thousands of new internships that will help students get the experience in the job they need for long-term careers.

Oral Questions

We have gone beyond that to help students get the funding they need to afford post-secondary education. We introduced the Canada student grant program that helped three times more students than did the previous Liberal program.

• (1440)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, Conservative incompetence has plunged Canada into debt, squandering the future for many young people. Mounting student debts and dwindling employment prospects are making it impossible for young people to prepare for the future.

Youth unemployment is up five points and the government's only response has been to slash the Canada summer jobs program, in spite of what the minister says. The Prime Minister has clearly failed.

When will the Prime Minister call on experienced people, like teachers, labour market specialists and camp counsellors, to finally learn how to create a national youth employment strategy?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in Canada, the youth employment strategy is designed to help students. In fact, tens of thousands of students right across the country get the experience they need to help them get jobs in the future and also to earn money to pay for their post-secondary education.

In the most recent budget, we attached another 3,000 internships to help students get more experience, particularly students who have had problems finding a job. We are there to help the students. It is too bad that the Liberals do not support those efforts.

[*Translation*]

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, the minister needs to understand that her strategy, insofar as she has one, is not working, especially not for young people.

The number of jobs for young people has declined by 212,000 since the recession. In October 2008, there were 76,800 unemployed young people in Quebec. Now there are 86,600. That is 12,800 more unemployed youth in Quebec. Here is my suggestion for the minister.

Instead of cutting the number of summer jobs, why not increase it? Will the minister create at least 12,100 summer jobs in Quebec this year, as was done in 2006?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, this summer, over 30,000 students will have summer jobs thanks to our Canada summer jobs program.

We are also helping students find jobs in many other ways, and we have created over 3,000 internships for students in this budget. The Liberals should support them.

* * *

THE ENVIRONMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the Minister of Natural Resources and his sidekick the Minister of the Environment ought to read the U.S. Environmental Protection Agency's scientific report.

In a letter sent to the State Department yesterday, the EPA was hugely critical of the analysis of the Keystone XL project. Keystone XL would increase greenhouse gas emissions in the United States by 19 million metric tonnes a year.

Does the Minister of Natural Resources agree with this report?

[*English*]

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, our government respects the U.S. process and we remain hopeful that Keystone XL will be approved on its merits. Canada is the environmental choice to meet the U.S. demand for energy. The approval of Keystone XL would create jobs, economic prosperity and energy security for both our countries. We will continue to pursue opportunities to diversify markets as a strategic priority.

Why is the NDP always looking for ways to oppose this job-creating project?

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, it was days ago that the Minister of Natural Resources was dismissing climate concerns. He said, "I think that people aren't as worried as they were before about global warming of two degrees".

The U.S. Environmental Protection Agency has now joined the chorus of people who disagree with the minister. The EPA says that over a 50-year period, extra emissions associated with Keystone XL could be as much as 935 million metric tons.

Does the Minister of Natural Resources accept this scientific assessment of the EPA?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, it is a scientific fact that the oil sands represent one one-thousandth of global emissions and the Keystone XL pipeline would represent less than half of that.

What the focus should be on is coal, which represents in the United States over 30 times the emissions that the oil sands represent. As we know, Dr. Andrew Weaver said that the total impact on global warming of the oil sands would be 3% of 1° in 300 years.

• (1445)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, one fact is clear. We stand up for science and the Conservatives vote against science every time.

The U.S. Environmental Protection Agency was so worried about this pipeline that it said the State Department study was insufficient. It got an F. This is the same study that the minister was praising. The Conservatives' utter failure to address climate impacts is causing major problems in the U.S.

Natural resources are important for our economy. When will the minister recognize that denying the dangers of climate change is actually very bad for business and is bad for Canada?

Oral Questions

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, we have said, repeatedly, that we will not go ahead with any project that is not safe for Canadians and safe for the environment. Why is the NDP opposing a project before it has received final environmental review?

[*Translation*]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, one thing is clear: the Conservatives' ignorance is hurting our economy. They are still lacking the political will to regulate greenhouse gas emissions in the oil and gas sectors at a time when our most important trading partner is wondering if our oil is worth it.

When will the Conservatives put regulations in place to reduce greenhouse gas emissions? When will they make polluters pay? When will they finally start to take responsibility?

[*English*]

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, I would remind my colleague that our government is not only the first Canadian government to reduce greenhouse gases, we are the first government in the world to ban traditional technology, coal-fired electricity generation. Our government continues to work with the provinces and stakeholders to develop greenhouse emission regulations for the oil and gas sector. When we have completed the drafting of these regulations, they will be announced.

* * *

ABORIGINAL AFFAIRS

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, women on reserves are some of the most vulnerable people in Canada and have been victimized without the protections they need. In situations of family violence, women have also been kicked out of their homes, with nowhere to go.

We have heard their message loud and clear. They want the same rights and protections as all other Canadian women.

As it is national victims week, could the Minister for Status of Women please tell the House what our government is doing to protect thousands of aboriginal women on reserves?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, our government believes in sending a very clear message that family violence and violence against women, wherever it occurs, cannot be tolerated. That is why we have introduced the matrimonial property rights legislation to protect thousands of first nations women and children. Our legislation would finally allow judges to issue emergency protection orders and remove a violent partner from the home.

Emergency protection orders save lives. They are essential to protect women from domestic violence. Yet, shockingly, the Liberal leader has asked his caucus to vote against extending these rights to aboriginal women. He needs to reverse his position now.

I am proud to say that this government will continue to fight for the rights of aboriginal women.

[*Translation*]

EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, the Conservatives are going after seasonal workers. The minister treats them like fraudsters.

What is their crime? Their crime is working in a seasonal industry, such as the fisheries, construction, agriculture, education or tourism.

A major national protest is scheduled for this Saturday. Will the Conservatives take advantage of this opportunity to finally listen to those who are tired of being treated like criminals?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the purpose of the employment insurance program is to provide financial support to workers who have lost their jobs and are looking for other ones.

I can assure unemployed workers in Canada that, if there are no jobs in their field in their region, employment insurance will be there for them, as always.

* * *

• (1450)

[*English*]

FISHERIES AND OCEANS

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, the owner-operator fleet separation policy protects independent fishermen. It protects Atlantic Canadian and Quebec coastal communities.

Conservatives claim to support this policy, but a Conservative senator thinks differently. He called fleet separation immoral. He said that it led to a falsely seductive life of seasonal work, another attack on seasonal workers in Atlantic Canada and Quebec.

Did the minister categorically condemn this outrageous attack on people in Atlantic Canada and Quebec?

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I put this issue to bed some months ago. Obviously the member opposite missed that.

In fact, on September 21, 2012, I categorically stated that we would not eliminate the fleet separation owner-operator policies. I do not know why the opposition continues to try to instill unfounded uncertainty and fear in an industry that is facing much more challenging issues.

* * *

**PUBLIC WORKS AND GOVERNMENT SERVICES
CANADA**

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, confusion continues to abound around contracting and how Conservatives will deal with companies named in the Charbonneau Commission.

Oral Questions

Last week officials denied they were reviewing contracts given to businesses implicated in this inquiry. Now Conservatives are backtracking and saying the exact opposite.

Why the sudden change of heart? Could the minister confirm they are double-checking past contracts with companies named by the commission, and explain why it took so long to do so in the first place?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, this kind of work goes on consistently, which is why our government recently put in place a more robust regime to examine these kinds of contracting issues through our integrity framework.

Under this framework, the government has put in place measures to ensure that companies or individuals convicted of any illegal activity are banned from bidding on federal contracts. In fact, our integrity framework has already been successful in rendering certain companies ineligible to bid on contracts with public works.

We will review, and we continue review, any reports of improper practices by companies.

[*Translation*]

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, after admitting that they were not carefully scrutinizing the contracts of companies named in the Charbonneau Commission, the Conservatives did a dramatic about-face. They must tell us what they discovered.

If there has been an abuse of public funds in any of the \$21 billion worth of contracts granted, we have to get to the bottom of it. Yet, if we are going to do so, the minister cannot keep the reports secret.

Will the minister promise to release the reports on the contracts involving companies named in the Charbonneau Commission?

[*English*]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the framework that is in place ensures that any companies or individuals convicted of illegal activity are therefore banned from bidding on federal contracts. In fact, the integrity framework has already rendered certain companies ineligible to do business with public works.

We review any reports of improper practices by companies and the member can rest assured that we will not hesitate to take any action against these companies.

* * *

FISHERIES AND OCEANS

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, in a letter to the Minister of Fisheries and Oceans, Conservative Senator Stephen Greene called fleet separation immoral, one of the worst policies in Canadian history, and said that it was responsible for the culture of dependence in Atlantic Canada.

Fleet separation keeps tens of thousands of middle-class Canadians employed in the fishery and creates economic activity throughout our coastal communities.

Will the Prime Minister condemn this senator's shameful attack on the Atlantic inshore fishery, or is this the real agenda of the Conservative government down the road?

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I would have thought that if anyone had been paying attention on September 21, 2012, it would have been the member for Cardigan. I clearly stated that we will not eliminate the fleet separation and owner-operator policies. We were clear about that. Those policies are in effect and will remain in effect.

* * *

JUSTICE

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, in December 2011 I asked the Minister of Justice to order an inquiry into the handling of sexual abuse charges against Fen McIntosh. He said at the time that he would not consider any action until a final decision was made by the Supreme Court of Canada, and I agreed with and supported his decision.

In light of the Supreme Court's decision yesterday rejecting the Crown's appeal, will the minister now order the federal inquiry I requested so that the victims of these horrible crimes may get the answers they so rightly deserve?

• (1455)

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member opposite has already had the opportunity to help us crack down on sexual offences against children, but unfortunately he voted against the Safe Streets and Communities Act.

We have raised the age of consent. We have cracked down on offenders. We have eliminated house arrest for serious offences. The delays that occurred happened under the previous Liberal government while it was in power.

We have a comprehensive justice agenda, and the opposition should get on board with it.

* * *

AGRICULTURE AND AGRI-FOOD

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, during my tour of southern Ontario I heard first-hand what will happen if the Conservatives' reckless container size regulations go forward. Mayors, food processors and farmers all told me the same thing: communities will be hurt, farmers will be severely impacted and thousands of jobs will be lost. However, the Minister of Agriculture has not done a single impact study or carried out any consultation to support these changes.

Will the minister commit today to stop targeting these rural communities and immediately withdraw his policy—yes or no?

Oral Questions

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member opposite should be aware that I was on the ground consulting with the very industries he was consulting with some six weeks to two months ahead of when he was there.

We continue to have consultations. We continue to work with the industries and affected communities to come up with a positive result that will reinforce Canadian agriculture and Canadian processing, unlike what those members would do with their \$21 billion carbon tax.

[Translation]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, farmers and the fruit and vegetable processing industry have all been clear: if this regulation goes forward, then thousands of jobs will be lost.

These changes are only profitable for foreign companies whose products will flood our markets. The Minister of Agriculture did not conduct an impact study or hold consultations; otherwise, he would have heard the heartfelt appeal of Canadians who are opposed to this measure, which is dangerous for our economy and our jobs.

Will the minister withdraw this irresponsible measure or not?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Just as I said to the member's colleague, Mr. Speaker, we continue to consult with the affected industries and with the producers who supply the product to those processing facilities. We will continue to do that. We will come up with a program and a policy that would benefit everyone across that sector.

* * *

CANADA-U.S. RELATIONS

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, the United States may soon be looking at imposing a border fee on Canadians looking to enter that country. This ill-conceived cash grab would be an unwelcome barrier to legitimate trade and travel. It would hurt both countries' economies and kill jobs on both sides of the border. Given the fragile state of our global economy, we need to be looking at ways to expand trade, not slow it down.

Could the Minister of State for Small Business and Tourism please update the House on the government's position on this proposed border fee?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, our government will vigorously lobby against this proposal. Our government sees red tape for businesses and Canadians at the border. This is not the time to have this kind of proposal in force.

[Translation]

That is very important because the two countries do over a billion dollars in trade of goods and services every day. We must continue in that direction and promote free trade. That is what we are going to do.

[English]

FOREIGN AFFAIRS

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, the government has listed Iran as a state sponsor of terrorism and Iranian footprints are reported in yesterday's aborted terror attack, but while the government removed Iran's immunity from civil suit from victims of Iranian terror, allowing Iran to be held civilly accountable, the government is now invoking that very diplomatic immunity to protect Iran against civil suits by victims of Iranian terror.

Why is the government standing up for Iran in Canadian courts? Why is the government undermining the very recently enacted civil remedies for victims of terror act? Why are we defending the rights of Iran against the victims of Iranian terror?

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, Canada condemns the aggressive and destabilizing action of the Iranian regime, including the blatant support that Iran provides to terrorist groups. Canada views the regime in Iran as the biggest threat to international peace and security in the world today.

The Government of Canada in no way condones the actions of the Iranian regime. We are always looking out for and standing up for the interests of Canadians.

* * *

JUSTICE

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, Jordan Anderson passed away in hospital while governments fought over the cost of his care. This House voted unanimously for Jordan's principle to ensure that no other first nations child needing care would be left behind.

Eight years later, Maurina Beadle had to take the government to court to argue that her son Jeremy had the same rights to care as other people. The Federal Court agreed and stated that Jordan's principle applied in this case.

Will the minister agree with this ruling, announce today that he will not appeal the Federal Court decision and uphold Jordan's principle?

• (1500)

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we believe that the health and safety of all children must triumph over any jurisdictional issue. We also believe on this side of the House that the rights of women and children on reserve should be equal to those of other Canadians.

I would invite that member's party and her leader to reverse their instructions to those MPs who voted against giving women and families on reserve the same rights as other Canadians.

*Speaker's Ruling***PUBLIC SAFETY**

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Mr. Speaker, yesterday the RCMP announced the arrest of two individuals for a series of terrorism-related charges. RCMP Superintendent Doug Best said, "This is the first known al Qaeda-planned attack that we have experienced in Canada."

Could the Minister of Public Safety please comments on these significant events?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the first job of any government is to keep Canadians safe from those to wish to harm us, and this is a responsibility our government takes very seriously.

Terrorism is not an academic issue that only impacts other countries around the world; there is a very real threat to Canada.

I would like to thank the Muslim community for its co-operation with law enforcement, and I would like to thank the RCMP, CSIS and our security agencies, including agencies in the United States and particularly the FBI, for their good work to keep us all safe from those who wish to harm us.

* * *

[*Translation*]

CANADIAN HERITAGE

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the bill to create the Canadian Museum of History was introduced in November. It has not been passed yet, but the Conservatives have already spent \$1 million to rebrand the Museum of Civilization. What is even more unacceptable is the lack of consideration for the employees. Since the Conservatives made the announcement, a dozen union jobs have been eliminated and several dozen more are in jeopardy.

Why are the Conservatives making these changes to the Museum of Civilization? Are they committed to protecting the jobs at the museum?

[*English*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, staffing decisions made internally within a museum are up to the museum board and management.

The NDP, time and again over the years, has condemned this government for not investing enough in culture, and here we are trying to invest \$25 million to build up the largest museum in all of Canada and to create the Canadian Museum of History.

Unlike the New Democrats, we are proud of Canada's history. We want to promote Canada's history and have a better understanding of Canada's history in our schools, and this museum will be something incredibly special as we head toward Canada's 150th birthday.

Rather than criticizing spending money on our largest national museum, the hon. member should be applauding it and getting on board with upgrading Canadian history.

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, a month ago, the immigration minister promised measures to help people trying to flee from the war in Syria. Absolutely nothing has been done since then, yet Canadian citizens are still living amongst bombs, because the government refuses to grant visas to their children or parents who do not have Canadian citizenship. Refugees are trying without success to join their families here in Canada and in Quebec. People who are members of persecuted minorities are trying in vain to leave Syria. What is Canada doing for these people? Nothing.

Will the immigration minister do more than simply spew empty rhetoric and make false promises to Canada's Syrian community? Will he take real action to save the lives of these women and children whose communities are being bombed?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I am sorry, but the hon. member is wrong to say that this government has not taken any action.

Indeed, we have expedited family reunification for Canadians who have family in Syria. As for the issue of resettling refugees, the UN High Commissioner for Refugees has asked Canada and other countries not to begin a resettlement program because it is more important to focus efforts on the urgent need to provide care to refugees currently living near Syria.

* * *

● (1505)

[*English*]

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of the Hon. Glen Abernethy, the Northwest Territories' Minister of Justice, Minister of Public Works and Services, Minister of Human Resources and Minister Responsible for the Public Utilities Board.

Some hon. members: Hear, hear!

* * *

PRIVILEGE

S. O. 31—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the question of privilege raised on March 26 by the member for Langley regarding the presentation of a member's statement pursuant to Standing Order 31.

Speaker's Ruling

[Translation]

I would like to thank the hon. member for Langley for having raised this matter, as well as the hon. Chief Government Whip, the hon. House Leader of the Official Opposition, the hon. House Leader of the Liberal Party, and the members for Vegreville—Wainwright, Saanich—Gulf Islands, Lethbridge, Winnipeg South, Edmonton—St. Albert, Brampton West, Kitchener Centre, New Brunswick Southwest, Wellington—Halton Hills, Glengarry—Prescott—Russell, South Surrey—White Rock—Cloverdale, Medicine Hat, West Vancouver—Sunshine Coast—Sea to Sky Country, Halifax, and Thunder Bay—Superior North for their comments.

[English]

In raising his question of privilege, the member for Langley explained that, shortly before he was to rise during statements by members on March 20, he was notified by his party that he could no longer make his statement because, as he put it, “the topic was not approved”. In making his case, he argued that the privilege of freedom of speech is designed to allow members to discharge their responsibility to ensure that their constituents are represented.

While the member accepted the practice of parties submitting lists of members to the Speaker, he objected to this being managed in such a way that the equal right to speak could be removed. He stated, “If at any time that right and privilege to make an S. O. 31 on an equal basis in this House is removed, I believe I have lost my privilege of equal right that I have in this House”. He further argued that, ultimately, it is only the Speaker who has the authority to remove a member's opportunity to speak and that the equal opportunity of every member to make statements pursuant to Standing Order 31 must be guaranteed.

In his intervention, the Chief Government Whip reminded the House that all recognized parties resort to the use of speaking lists and that, “The practice for many years in the House is for the Speaker to follow the guidance provided by the parties...”. He added that since the preparation of lists is an internal affair of party caucuses, it is not something the Speaker ought to get involved in.

[Translation]

For his part, the House Leader of the Official Opposition suggested there exists a role for the Speaker in regulating the natural tension between members and their parties, and the right to speak in Parliament. He went further, saying, “The issue is the need for members of Parliament to speak freely on behalf of those whom we seek to represent” and in support of this view, he cited *House of Commons Procedure and Practice*, second edition, which states at page 89:

By far, the most important right afforded to members of the House is the exercise of freedom of speech in parliamentary proceedings.

However, he also noted that, with the entrenchment of the practice whereby whips determine which of their members will speak and the concurrent absence of a Standing Order explicitly allowing the Speaker to intervene in that process, he questioned whether the will and support of the House would be required before the Chair could do so.

[English]

Several other members intervened in support of the member for Langley, while another echoed the comments of the Chief Government Whip. For his part, the member for New Brunswick Southwest suggested that I should expand my review of this matter to include lists not just for statements by members but also for question period.

[Translation]

I wish to begin by reminding the House of the role of the Chair in determining matters of privilege. O'Brien-Bosc, at page 141, states:

Great importance is attached to matters involving privilege. ...The function of the Speaker is limited to deciding whether the matter is of such a character as to entitle the member who has raised the question to move a motion which will have priority over orders of the day; that is, in the Speaker's opinion, there is a prima facie question of privilege. If there is, the House must take the matter into immediate consideration. Ultimately, it is the House which decides whether a breach of privilege or a contempt has been committed.

[English]

I also wish to address what seems to be a widespread misconception about the role of the Speaker in matters of this kind. Several members have used sports analogies to describe me as a referee or a league convener. Perhaps there are elements of a referee role for the Speaker, but with one important difference: there is no league that appoints the Speaker to enforce rules from on high in a vacuum. Instead, here in the House of Commons, the members elect a Speaker from among the membership to apply rules they themselves have devised and can amend. Thus, it is only with the active participation of the members themselves that the Speaker, who requires the support and goodwill of the House in order to carry out the duties of the office, can apply the rules.

As is stated in O'Brien and Bosc, at page 307:

Despite the considerable authority of the office, the Speaker may exercise only those powers conferred upon him or her by the House, within the limits established by the House itself.

● (1510)

[Translation]

In making their arguments in this case, several members have correctly pointed out the fundamental importance of freedom of speech for members as they carry out their duties. *House of Commons Procedure and Practice*, second edition, at page 89 refers to the freedom of speech of members as:

...a fundamental right without which they would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

[English]

The Speaker's role in safeguarding this very privilege is set out in O'Brien and Bosc at page 308. “The duty of the Speaker is to ensure that the right of Members to free speech is protected and exercised to the fullest possible extent...”.

Speaker's Ruling

This last citation is particularly important since it highlights a key reality, namely that there are inherent limits to the privilege of freedom of speech. Aside from the well-known prohibitions on unparliamentary language, the need to refer to other members by title, the rules on repetition and relevance, the *sub judice* constraints and other limitations designed to ensure that discourse is conducted in a civil and courteous manner, the biggest limitation of all is the availability of time.

I need not remind the House that each and every sitting day, a vast majority of members are not able to make a statement pursuant to Standing Order 31 as there simply is not enough time available. It is likely for this reason that the standing order states that members “may”, not shall, be recognized to make statements. Hence, while many members in this instance have spoken of the right to speak, the member for Langley acknowledged this inherent limitation and spoke more precisely of the equal right to speak. It is this qualifier of rights—equity—that carries great significance, and to which the Chair must play close attention.

[*Translation*]

Put another way, the Chair is being asked by the member for Langley whether the practice of whips providing the Speaker with the names of members who are to be recognized to speak during statements by members represents an unjust limitation on his freedom to speak, to the extent that such opportunities are not afforded to him on an equitable basis.

[*English*]

There is no denying that close collaboration has developed over time between the Chair and party whips to find ways to use the time of the House as efficiently as possible and to ensure that all parties are treated equitably in apportioning speaking time. In some cases—the timing of recorded divisions comes to mind—the Standing Orders enshrine a specific role for the whips. In other cases, there is no standing order, but rather a body of practice that the House follows and that evolves over time.

A reading of the history of members' statements at pages 420 to 422 in O'Brien and Bosc tells us that our practice in that regard has had to adjust and respond to changing circumstances on more than one occasion, with each practice enduring only so long as it matched its era and the will of the House.

By 1982, it had settled into what we know it to be today—that is, the order and number of slots to be allotted to members of different political affiliations are agreed upon by the parties at the beginning of a Parliament and adjusted from time to time as necessary. Then, at each sitting, the names of members who are to fill the designated speaking slots are provided to the Speaker by the whips of the different recognized parties and by the independent members. Even if not enshrined in the Standing Orders, generally the House has been well served by this collaboration, and the lists have helped the Chair to preside over this portion of each sitting day in an orderly fashion.

However, does this mean that the Chair has ceded its authority to decide which members are to be recognized? To answer this question, it is perhaps useful to review the history of the lists, which were first used for question period in the 1970s.

At page 61 in his memoir, *Mr. Speaker*, in which he describes his time in the Chair, Speaker Jerome explains that he was comfortable using a party's suggested lists “...so long as it didn't unfairly squeeze out their backbench”.

In a June 19, 1991, ruling found at page 2072 of the *Debates*, Speaker Fraser was even more categorical about the authority of the Chair. In response to a member who asked if the Chair was bound to follow a set list in recognizing members, he said:

I appreciate the hon. member's intervention and my answer is yes, there is a list. I am not bound by it. I can ignore that list and intervene to allow private members, wherever they are, not only to ask questions but also to ask supplementals. That is a right which remains with the Chair and I do not think it has ever been seriously challenged. I would remind all hon. members that it is a right which the Chair has had almost since: “The memory of man runneth not to the contrary”.

The authority the Speaker has in this regard is likewise described in *House of Commons Procedure and Practice*, second edition, at page 318, which states:

No Member may speak in the House until called upon or recognized by the Speaker; any Member so recognized may speak during debate, questions and comments periods, Question Period, and other proceedings of the House. Various conventions and informal arrangements exist to encourage the participation of all parties in debate; nevertheless, the decision as to who may speak is ultimately the Speaker's.

• (1515)

It further states on page 595:

Although the Whips of the various parties each provide the Chair with a list of Members wishing to speak, the Chair is not bound by these.

[*Translation*]

Similarly, *Beauchesne's Parliamentary Rules and Forms, Sixth Edition*, on page 137, states that

...the Speaker is the final authority on the order of speaking.

I myself have seen fit from time to time to deviate from the lists, usually in an effort to preserve order and decorum during statements by members and question period.

[*English*]

Accordingly, the Chair has to conclude, based on this review of our procedural authorities and other references, that its authority to decide who is recognized to speak is indisputable and has not been trumped by the use of lists, as some members seemed to suggest.

I might add as an aside that the use of lists in general has inadvertently created an ongoing problem for the Chair. In some cases, members do not stand to be recognized because they are on a list and thus think they will automatically be recognized when their turn comes around. As Acting Speaker Bob Kilger put in a statement found at page 3925 of the *Debates* on May 5, 1994:

We speak about or refer to these unofficial lists that we have, which are somewhat helpful at times, but in the end members seeking the floor of course are those who will be recognized by the Chair.

Thus, the need to “catch the Speaker's eye”, as it is called, continues to underpin the Chair's authority in this respect.

Members are free, for instance, to seek the floor under questions and comments at any time to make their views known. They are also free at any time to seek the floor to intervene in debate itself on a bill or motion before the House. Ultimately, it is up to each individual member to decide how frequently he or she wishes to seek the floor, knowing that being recognized by the Speaker is not always a guaranteed proposition.

The right to seek the floor at any time is the right of each individual member of Parliament and is not dependent on any other member of Parliament.

On the narrow question of the removal of the member for Langley from his party's lineup for statements by members on March 20, the Chair cannot conclude that there is a prima facie finding of privilege. No evidence has been presented to me that the member has been systematically prevented from seeking the floor. The Chair has found that the member for Langley has been active under several rubrics since the beginning of this Parliament. He has made statements under statements by members on a variety of subjects, has presented petitions, has made speeches and risen on questions and comments under government orders, has made speeches under private members' business and has risen in question period. As I said earlier, he has remained free to seek the floor at any time, like all other members.

However, on the broader question of the equitable distribution of statements by members, a review of the statistics reveals that the member may well have a legitimate concern. This goes to the unquestionable duty of the Speaker to act as the guardian of the rights and privileges of members and of the House as an institution. This includes ensuring that, over time, no member wishing to speak is unfairly prevented from doing so.

Even so, as Speaker I cannot exercise my discretion as to which member to recognize during statements by members or at any other time of the sitting day if only one member is rising to be recognized. As previously mentioned, due to an overreliance on lists, more often than should be the case, even those members on the list do not always rise to be recognized.

Were the Chair to be faced with choices of which member to recognize at any given time, then of course the Chair would exercise its discretion. However, that has not happened thus far during statements by members, nor, for that matter, during question period. Until it does, the Chair is not in a position to unilaterally announce or dictate a change in our practices. If members want to be recognized, they will have to actively demonstrate that they wish to participate. They have to rise in their places and seek the floor.

In the meantime, I will continue to be guided by the lists that are provided to me and, when and if members are competing for the floor, will exercise my authority to recognize members, not in a cavalier or uninformed manner but rather in a balanced way that respects both the will of the House and the rights of individual members.

I would like to thank all honourable members for their attention during this rather lengthy ruling.

Government Orders

GOVERNMENT ORDERS

● (1520)
[English]

WAYS AND MEANS

MOTION NO. 20

Hon. Ted Menzies (Minister of State (Finance), CPC) moved that a ways and means motion to implement certain provisions of the budget tabled in Parliament on March 21, 2013, and other measures, be concurred in.

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

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Speaker: Call in the members.

● (1525)

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

(Division No. 664)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Allen (Tobique—Mactaquac)	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Bateman	Benoit
Bergen	Bernier
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chong	Clarke
Clement	Crockatt
Daniel	Davidson
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Flaherty	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hoback

Government Orders

Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	O'Toole
Paradis	Payne
Poillievre	Preston
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer— 148

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bellavance	Bennett
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brisson
Brousseau	Byrne
Caron	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Day	Dewar
Dion	Dionne Labelle
Donnelly	Dubé
Duncan (Edmonton—Strathcona)	Dusseault
Easter	Eyking
Footé	Fortin
Freeman	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Groguié
Harris (Scarborough Southwest)	Harris (St. John's East)
Hassainia	Hsu
Hughes	Jacob
Julian	Karygiannis
Kellway	Lamoureux
Lapointe	Larose
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)

Leslie	Liu
MacAulay	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Mourani	Mulcair
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Perreault
Pilon	Plamondon
Quach	Rae
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Sullivan
Thibeault	Toone
Tremblay	Trudeau
Turmel	Valeriote— 124

PAIRED

Nil

The Speaker: I declare the motion carried.

* * *

● (1530)

[Translation]

COMBATING TERRORISM ACT

The House resumed consideration of the motion that Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act be read the third time and passed.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I am pleased to rise to address the Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, better known now as Bill S-7, Combating Terrorism Act.

I must admit that, last Friday, I was somewhat surprised, like everyone else in the House, by the move made by the Leader of the Government in the House. He informed us that two opposition days—one for the Liberal Party on Monday and one for the New Democratic Party on Tuesday—would be postponed, in order to resume dealing with Bill S-7.

I was surprised considering the government's usual routine with the orders of the day, and the debates of the past few weeks and months. We knew that Bill S-7 was on the Order Paper and that, some day, it would resume its normal course.

Bill S-7 originated in the Senate. I already said this regarding other issues: When the government has extremely important bills, it usually tables them under the letter “C”, followed by a number. This bill was introduced through the back door, through the Senate, which is made up of friends of those in power and of unelected people.

That was disturbing. However, it sent the message that, perhaps, the bill is not as important as the government is saying it is now.

Government Orders

Bill S-7 went through the Senate, which took a certain time. I believe it was tabled or passed in the Senate in February 2012, and it then made its way to the House. It was studied in committee and referred back to us in March if I am not mistaken. We had time for a speech at third reading. That speech was delivered by the hon. member for Toronto—Danforth, following the committee's report. After that, the bill was put somewhere. We knew it would come back here within a few weeks, months or years. We never really know with the Conservatives.

Then, surprise, surprise, on Friday, the Leader of the Government in the House rose as if there was a great need to hurry. He decided to put Bill S-7 on the orders of the day for debate.

Bill S-7 is a response to the events of 2001. It existed in another form and had been passed by the Liberal government of the day, in the aftermath of the events of September 11.

Terrible events such as September 11 or those more recently in Boston create a state of panic and terror.

People who want to combat terrorism, are people who have experienced terror. That is the power these terrorists have over people. They hope that the moments of terror they create will force people to change their behaviour and will make them lose their sense of safety. When terrorists achieve that, they have accomplished their mission.

It is the government's job to ensure that the public is safe. I would say that being healthy is certainly important, but more important than any other need on this planet, feeling safe is probably one of the most important feelings we have as humans. One of the government's responsibilities is to ensure that safety through reasonable, legal means.

The problem with laws that are passed in the wake of particularly sensational events is that they can have unintended consequences. Sometimes, they represent an improvement because we have learned from dramatic events. Sometimes, however, we overreact and need to make adjustments along the way.

● (1535)

Very wisely, the government at the time passed the legislation with the realization that certain provisions could pose problems in terms of individual rights and freedoms. We cannot take away the rights and freedoms of law-abiding citizens—as my Conservative colleagues so often say—just because of a small number of terrorists. These measures cannot be implemented to the detriment of honest people who obey the law and who live according to society's rules.

At the time, knowing that the bill was being passed quickly and in response to specific problems, the government included a sunset clause, which imposed a deadline and made the clauses contained in Bill S-7 temporary measures. It meant that the bill would have to be revisited to determine if it had been useful and to draw conclusions about the events.

The current government may be a bit frustrated right now, but the opposition is also very frustrated about the way the Conservative government plays its role as legislator. I am not very sympathetic to the government's frustration because, to some extent, the government brought this on itself. The government is frustrated by some

statements. It is frustrated that the media and the official opposition are currently casting doubt on its motives for introducing Bill S-7. A distinction must be made because members can oppose the actual content of the bill or the way it is being addressed or passed through the House of Commons.

I must admit that it certainly reeked of opportunism when the Leader of the Government in the House of Commons suddenly announced after question period last Friday that we had to pass Bill S-7. We are talking about the message that the government is trying to send.

In passing, I am extremely surprised that the members of the Liberal Party are not rising to oppose this type of bill because, since the adoption of the Canadian Charter of Rights and Freedoms, they have always been the self-appointed gatekeepers of the charter, and probably with good reason. I am extremely surprised that they are not rising with the members of the NDP to speak out against some of the major concerns raised by this bill.

I would like to come back to the government's frustration. It is so rare for the government to be frustrated. The Conservatives have a majority and so they are free to do what they want in terms of their agenda. Perhaps that is why they are not being taken very seriously when it comes to Bill S-7. Since they have been in office, they have had plenty of time to pass this bill. However, they are using the current situation to score political points and to try to pass a bill that would normally be difficult to pass or would be negatively perceived. In my opinion, this is as despicable as it gets.

I will come back to my main point. The role of Canada's Parliament is to ensure, to the extent possible, that Canadians across the country feel safe in this very special place. We must have a set of rules and laws in order to provide our police forces with the tools they need. However, I realize that our police forces and our special counter-terrorism units already have many tools available, including the Criminal Code, in order to deal with events like the ones that occurred yesterday—namely, the press conference and the arrest of two alleged terrorists who were threatening the security of Canadians—and the events involving the group known as the Toronto 18.

● (1540)

I am not sure that Bill S-7 would have resulted in a different response to the situation.

In closing, we should perhaps say to the government that if it truly wants to stop terrorism, it must provide not just the legislative tools but also the people on the ground, which means more police officers and counter-terrorism units. That takes money. The Minister of Public Safety must stop cutting those budgets.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I agree with the member that the Conservative government needs to have more boots on the ground. We have seen, through a series of budget cuts, that those numbers are down significantly. We share the concern of the NDP.

Having said that, one of the concerns I have is the position of the New Democrats with respect to the Charter. They are saying that they are concerned about the rights of the individual.

Government Orders

I reflected earlier today on Bill C-55, which had similarities in terms of principles. The Supreme Court of Canada, in both cases, made a declaration that they are both constitutionally correct, implying that they should be made law. It even had a deadline.

Does the member see the consistency between Bill C-55 and Bill S-7? Why is it that the New Democrats would vote in favour of one but be opposed to the other? Could the member provide some clarity on that?

Ms. Françoise Boivin: Mr. Speaker, that is an excellent question. [Translation]

Bill C-55 satisfied the Supreme Court's demands word for word. For once, the government resisted the urge to go too far. It chose individual rights over all-out accessibility and going after people who might be dealing with certain situations.

So, with Bill C-55, the government showed tremendous restraint. The same cannot be said about Bill S-7.

My colleague from Toronto—Danforth and his colleagues on the Standing Committee on Public Safety and National Security did a great job examining Bill S-7 and highlighting how the arrest provisions, which the government would like to see as preventive, were vague. This certainly leaves us wondering. Someone could be accused of being directly or indirectly linked to an act, even though that person may be innocent. As everyone knows, when a tragedy occurs, at some point, well-meaning people see things that might not necessarily be there. Some people might find themselves in truly tragic situations, with extremely vague rights.

The NDP members asked the government another question. I encourage my hon. colleague from Winnipeg North to consult the evidence from that committee and he will see that the Conservative member replied very clearly that, on the contrary, the government wanted to keep this as vague and as broad as possible.

In terms of arrest, detention and interrogation, when people who have been arrested do not know what is going on or what they are alleged to have done, we need to err on the side of caution, while still thinking about public safety. These two aspects can be reconciled in a legal manner that respects our charter.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for her speech, which was excellent, as always.

I would like to hear her thoughts on the government's habit of reacting to specific events by introducing a bill. This is very opportunistic. She mentioned that in her speech.

Could the member talk more about the fact that the government is using specific events to change laws? These laws apply to all Canadians, they will apply for years to come and they will have repercussions. As a legislator, it is trying to react only to specific events. The government is also trying to be opportunistic by using such events to advance its own ideologies. Why do we need to be wary of this kind of approach?

• (1545)

The Deputy Speaker: The hon. member for Gatineau has 40 seconds to respond.

Ms. Françoise Boivin: Mr. Speaker, since arriving in the House in May 2011, I have realized that the government uses legislation to get media attention.

In terms of justice, law and order and public safety, this is not the way to properly manage legal and legislative issues, enforce the rule of law or ensure that we are a constitutional state that honours its Constitution and charter.

We do not even know if the Minister of Justice makes sure that his bills comply with the charter and the Constitution. One of his employees is taking him to court because he is claiming the minister does not do so. I am not surprised to see that everything he does is a sham. It is unfortunate that this is happening with these kinds of issues.

Mr. François Choquette (Drummond, NDP): Mr. Speaker, before I begin my comments on Bill S-7, I would like to talk about the people of Drummondville, who organized a commemorative race last Sunday for the victims of the tragedy that took place in Boston, and for their families.

I would like to thank Carl Houle, Andrée Lanoie and Robert Borris for the 5 km race they organized in the city of Drummondville to honour and commemorate the victims of this appalling tragedy. It was a noble gesture on their part, because they were in Boston when the tragedy struck. They were taking part in the marathon there because they are regular participants in marathons. Andrée Lanoie is a former colleague of mine, and I wish to salute her today. She does excellent work with young people and promotes physical activity.

I would therefore like to thank them and the community of Drummondville for this fine event. Nearly 200 people from the greater Drummondville area took part in the race. That was just an aside before I begin my remarks on Bill S-7.

That said, the fact of a tragic event like what happened in Boston is no reason for the government to make use of it in order to play petty politics. Yet that seems to be the case, and it is regrettable. It should be condemned, and the NDP will condemn it.

I would also like to thank my hon. colleague from Gatineau for the excellent speech she just gave. She did well to note the opportunistic aspect of Bill S-7, the combating terrorism act.

Quite obviously, we must combat terrorism and take every measure to do so. However, Bill S-7 is not an appropriate response to the need to combat terrorism. It is important to explain this and point it out to our honourable Conservative colleagues. They believe this bill is a suitable response in the battle against terrorism, but it is not in fact an appropriate response.

Why is that? I will begin by stating the four goals of Bill S-7. I will then explain how very seriously the NDP did its work in committee. As always, NDP members do outstanding work in committee by proposing amendments and improvements based on expert testimony. It will be important to come back to this later in order to show that unfortunately, once again, the Conservatives have no respect for the work done in committee. They are interested only in quickly presenting their political agenda, and we end up with flawed legislation that we have no choice but to vote against.

Bill S-7 has four objectives: to amend the Criminal Code to authorize investigative hearings and recognizance with conditions; to amend the Canada Evidence Act to allow a judge to order the public disclosure of potentially sensitive information concerning a trial or an accused, once the appeal period has expired; to amend the Criminal Code to create new offences for a person who leaves or attempts to leave Canada for the purpose of committing an act of terrorism; and lastly, to amend the Security of Information Act to increase the maximum penalties for harbouring any person who has committed, or is likely to commit, an act of terrorism.

It is important to note these four technical points, because they are at the heart of Bill S-7. As my hon. colleague from Gatineau also mentioned, this bill comes not from the House but from the Senate, which we are opposed to. As we know, the Senate is not an elected chamber. Moreover, we challenge its very legitimacy.

• (1550)

What does “recognizance with conditions” mean? Simply put, it means preventive arrest.

Preventive arrest is one of the main problems with the bill. Why? It goes against the most fundamental principles of freedom and human rights. As I already mentioned, we presented amendments in this regard in committee.

I will now name the great NDP members of the Standing Committee on Public Safety and National Security who examined this bill. There is the hon. member for Esquimalt—Juan de Fuca; the hon. member for Alfred-Pellan; the hon. member for Compton—Stanstead, who is often by my side; and the hon. member for Toronto—Danforth.

These MPs presented 18 amendments, some of which sought to determine the definition of a person who can be arrested. Can just anyone be arrested? For example, if an individual who protested the Keystone XL pipeline—a project that will generate millions of tonnes of additional greenhouse gases in North America—is arrested, will that person be treated as a potential terrorist?

These are questions we had. Yesterday, during his speech on Bill S-7, the hon. member for Compton—Stanstead clearly demonstrated the major problem with the current definition. As my colleague was saying, the definition is very broad. Who can be considered a terrorist? Is someone who listens to heavy metal or a rocker considered a terrorist?

There are no criteria, which does not make sense. Of course, the hon. member for Compton—Stanstead is a heavy metal fan. That is why he is concerned about these issues. Personally, I am an environmentalist and so I am concerned about environmental issues. Environmentalists have often been monitored for fear that they will become radicals.

These are areas of concern with regard to the Charter of Rights and Freedoms. The first question we must ask is this: are good criteria in place to ensure that people are not put under preventive arrest just because we do not like them?

The NDP proposed amendments. The colleagues I mentioned earlier proposed very relevant, balanced amendments based on expert testimony. Unfortunately, the Conservatives voted against

Government Orders

these amendments. We will therefore vote against Bill S-7. Why? It is incomplete and unfair, and it is not consistent with the Charter of Rights and Freedoms and with fundamental rights, such as human rights. That is why we will vote against the bill.

We will also vote against the bill because it is not needed for combating terrorism.

I will now get back to what I mentioned in my introduction. I think it is very important to combat terrorism. Everyone agrees on that. I want the Conservatives to understand that I absolutely think it is necessary to combat terrorism. However, we must find the proper ways to do so.

As my colleagues from Gatineau and Compton—Stanstead, and others, have said, we must ensure that the necessary resources are there. First, we need police resources, such as the RCMP. We must support the RCMP, which recently did an excellent job preventing an act of terrorism in Canada. I commend its members for their work and for their diligence in dealing with a tragic and dangerous phenomenon. I thank them.

What I want to say is that we must combat terrorism. To do so, we must provide the necessary tools: financial resources, human resources and the resources needed to work with all cultural communities. That is what will help us combat terrorism.

• (1555)

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, my colleague spoke about this at the beginning of his speech, but I would like to give him the opportunity to speak some more about the fact that the government seems to want to make this issue a priority.

Yet, the minister did not feel it was necessary to introduce the bill himself; he left it to the Senate. What is more, it was tabled a week after the events in Boston.

Is my colleague disappointed that the government is not taking this more seriously given the many times it has invoked closure since the start of the 41st Parliament and given the fact that this issue seems urgent because of what we saw yesterday and what happened in Boston a week ago? Instead, it introduces bills in the Senate and waits so that it can use them to score political points.

Mr. François Choquette: Mr. Speaker, I thank my hon. colleague from Chambly—Borduas for his question.

He is doing an excellent job in his constituency. He is doing a great job on the shale gas issue, for example, in order to protect the environment in his riding. His constituents are very proud of him.

He is quite right. The people of my riding, Drummond, commemorated those who sadly passed away in Boston and all the families affected by this tragedy. My constituents ran a 5 km race to express their dismay and show their courage in the face of such tragedy.

Yes, the fight against terrorism must continue and on several fronts. Yes, legislative measures might be necessary. The problem with regard to Bill S-7 is that the Conservatives did not do their job in committee, once again.

Government Orders

We put forward 18 amendments that had been recommended by expert witnesses. The Conservatives did not even bother to vote in favour of those amendments.

As my colleague mentioned, if the Conservative government is so serious about the steps it is taking, why is this bill not a government bill?

Why did this bill come from the Senate, an unelected, controversial body that is currently dealing with an endless series of financial scandals? These are all very pertinent questions. I thank my hon. colleague for his comments.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I believe this is the fourth reincarnation of this particular piece of legislation. It has been what the member refers to as “C” bill, a Commons bill in the past. It is now a Senate bill.

There are some comments on which I agree with the New Democrats, and some issues that we have raised in the past, including the issue of providing the resources that are necessary to have boots on the ground at different borders, custom officers, and so forth, where we have seen significant cuts coming from the government. This will not do well in terms of dealing with the issue of combatting terrorism.

Having said that, it is important for us to recognize that we have had law enforcement officers and other experts come before the committee who have indicated that in fact there is a need for this investigative tool and that they do believe it would be of some benefit. Even if they have not used it in the past, that does not necessarily mean that it has no place in the future.

Does the member believe that this investigative tool could potentially be valid if in fact the NDP had gotten its amendments through?

• (1600)

[Translation]

Mr. François Choquette: Mr. Speaker, I thank my hon. colleague from Winnipeg North. He mentioned the work that was done in committee.

On that point, I would like to add that the NDP worked very hard in committee. We put forward 18 amendments based on the advice and recommendations of expert witnesses.

Unfortunately, the Liberal Party did not propose any amendments in committee, as though it thought the bill were perfect. I find this a little strange on the Liberals' part.

However, I do agree with my hon. colleague from Winnipeg North on one thing: we do not need Bill S-7. What we need instead is more financial and human resources to effectively fight terrorism.

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am conflicted somewhat as I begin my remarks today in that I object profoundly to the fact that this bill is designated S-7 instead of C-7, or whatever number it may get when it is introduced properly by the democratically elected members of Parliament in Canada's parliamentary system. I have never seen, in my 15 years as a member of

Parliament, such a proliferation of bills originating in the other place. It used to be a rare exception. I think you will be able to back me on this, Mr. Speaker. It was the exception, not the rule.

Let us remind ourselves and make a statement here and now, and I urge members of Parliament present to make a statement today, that we should not tolerate, or entertain, or debate, or accept bills that come from the undemocratic, unelected and, we believe, ineffectual and even embarrassing other place, the Senate of Canada.

My views on this have changed dramatically. I have known you a long time, Mr. Speaker, and I think we have had this conversation. I used to be one of the only New Democrats who I knew of who did not want to abolish the Senate, even though the original Regina Manifesto that was the guiding document of the founding of the Co-operative Commonwealth Federation, the predecessor to my party, did. Article 9 of the Regina Manifesto was to abolish the unelected, undemocratic, ineffective, et cetera, Senate. We wanted to get rid of it back then because it was a repository for hacks and flacks and idiot nephews of some rich Liberals and Conservatives that they could not find another job for, a place-holding thing for a bunch of hacks and flacks. They wanted to get rid of it then, but I did not agree, only for one reason.

There was a time, a dark period in our history, where we lost party status and were down to nine members. The Conservative Party was down to two members. You will remember, Mr. Speaker, how wildly the pendulum swings in Canadian politics. In Brian Mulroney's second term, I believe it was, he had 202 members and by the time that term of office finished, it was down to 2. Our party did not fare that much better. We were down to nine. The difference was that the Conservative Party had two members of Parliament but 35 or 40 senators. It still had all kinds of resources, money and things it could do. Its caucus consisted of 30 or 40 people. Even though it only had two elected members, it had 35 unelected members in its caucus. The NDP had nine members of Parliament and no senators.

I thought to myself that it might be a good idea if we accepted some of the invitations to sit in the Senate. Why should there not be a New Democrat in the Senate? Some of my colleagues are objecting to my reasoning and the thought process that has brought me there. As I say, my thinking has changed once again because I have been so profoundly offended by the antics of the other place in recent years that I now fully and wholeheartedly believe and accept that the Senate cannot be repaired. It has to be abolished. A Triple-A Senate

Mr. Maurice Vellacott: Is that your final answer?

Mr. Pat Martin: That is my final answer. I doubt that I will prevaricate any further, and let me provide one compelling reason why.

Government Orders

I do not know if you know this, Mr. Speaker, but you will be shocked. Talk about an inherent conflict of interest. Senators are allowed to sit on boards of directors of companies and some sit on as many as 10 or 12 boards of directors and get paid for each one. How can they objectively deal with legislation? Some of them would have to recuse themselves from everything if they sit on the board of directors of Onex Corporation. Onex Corporation has everything in its portfolio. Senators would never be able to legitimately, objectively adjudicate and vote on any single thing. They could not even phone out for pizza because Onex Corporation, in fact, owns a whole bunch of pizza parlour chains. That is one problem.

The other thing is senators take fees for speaking. Can anyone imagine the audacity of being appointed for life a sinecure of \$150,000 a year, plus travel, plus expenses, and yet when they speak somewhere, they charge a big, fat speaker's fee? That offends me. That offends the sensibility of any thinking democratic Canadian, I would think.

●(1605)

Also, many senators engage in purely partisan political work. Let me give an example. The head of the Conservative campaign for my home province of Manitoba was a senator, Don Plett.

If you are wondering about relevance, Mr. Speaker, I am giving my reasons why Bill S-7 should be marched down the hallway back to the Senate and presented to the senators. I am tired of getting marched down there to ask them to give royal assent to our legislation. Let them traipse down here for a change, and I will give them a piece of my mind. In the meantime, if we ever do go on another parade, we should pile up all these pieces of legislation that originated in the Senate and bring them back to them. They can keep them down there.

Another thing that bothers me is why senators would use public money to buy Obama's database. They spent a couple million dollars to buy the best political database in the world, a voter contact system. It is the best in the world, and we know this because we tried to buy it ourselves. However, we cannot buy it, because if it has already been licensed to one person or one party in a country, it will not be sold to another party. The Liberal senators used their budget to chip in and buy a database for the Liberal Party. Why would senators need a database? They are not elected. They do not to contact electors. Why are they spending public money to buy a database? Again, it offends the sensibility of any thinking Canadian.

The last thing I will say in preface to my remarks on the bill is what is really crazy. The entire Conservative war room is on the public payroll. The Conservatives appointed their party president, chief fundraiser, campaign manager and communications director to the campaign to the Senate so they could all operate on taxpayer dollars. It is not just their salaries, it is their travel privileges and their staff. They have become an organ of the Conservative Party of Canada.

The same is true of the Liberal Party. I know who the chief bagman for the Liberal Party is. I know him well. He does not apologize for it. He comes from Manitoba. It his job to raise money for the Liberal Party, but now he is paid for by the taxpayers of Canada. The Liberals do not have to pay him a salary anymore to do that; the taxpayer does. That is such an egregious abuse of any of the

original intent forming the Senate of Canada as a chamber of sober second thought, et cetera.

Manitoba used to have a senate. We got rid of it back at the turn of the last century. Other provinces used to have senates, and they got rid of them too. We do not need a senate anymore. We do not need it, and not only is it not serving any useful purpose, it is counter-productive to the democratic process, because those guys are interfering. When Senator Don Plett comes to Manitoba and is paid full time to run the Conservative Party election campaign in the province of Manitoba, does nobody see what is wrong with that?

It just rubs salt in the wound to have to stand in the House of Commons and deal with legislation coming from the Senate. Nobody elected the senators to make legislation. Nobody gave them a mandate to create legislation. Why the hell is it coming to us in the form of Bill S-anything? We should make it abundantly clear that we will not tolerate it anymore. That is my view.

I see that I only have one minute left to deal with the substance of the bill. The main message that I wanted to convey today is how chronically disappointed I am in the system. It is broken down to the degree that the government of the day has to slip things through the Senate at its convenience.

I believe that the opportunism of raising this bill at this time speaks to the very worst of neo-conservative fearmongering of politics. It trivializes the tragedy of Boston and it does a disservice to the important debate that we need to have regarding the first duty of any government, which is to keep its citizens safe. This is the wrong way to go about it.

The Conservatives are probably feeling quite sheepish that most of them are better members of Parliament than that, having to be put in the situation of promoting this bill at this time and in this context.

●(1610)

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, I agreed with some of the final points of my colleague's intervention. We can have a discussion about Senate reform, but it is also important to recognize this. The member provided one view of the Canadian Senate, but he did not recognize a lot of the important and constructive work done in the Senate. I will reference a couple of contributions to public policy that have made a difference in Canada and have contributed significantly to solutions to some of the most difficult issues facing the country.

The Kirby report on health care reform and the recommendations on mental health are one example. We need to do a lot more on mental health issues, but those are a couple of examples of very important contributions made by former Senator Michael Kirby. However, more recently, and I am being constructive here because I know the hon. member is fair and will share with me the admiration for some of the good work being done in the Senate, Senator Percy Downe has done extremely important work on the issue of tax havens. I know the member for Brossard—La Prairie, the former revenue critic, has worked closely with Senator Downe and his staff on this area. I know the new NDP member for Victoria is working with Senator Downe's office and benefiting from that research.

Government Orders

It is important to recognize, as we discuss the other place, that there are very positive contributions to the work that we do here and from time to time to provide at least a balanced view of the work done in the Canadian Senate.

Mr. Pat Martin: Mr. Speaker, I think my friend from Kings—Hants knows full well that much of the work that he cited as being worthwhile could be done by parliamentary committees if they were given the power, the authority and the resources that were promised to us in the Reform Party days when we used to have these conversations about giving meaningful work to committees and giving them meaningful resources to do it. We do not need a senate to have a comprehensive study on the situation of mental health in our country. I too have worked with senators on various projects, and again, that work could be done by elected members of Parliament.

I think the Senate is beyond reform. I used to think that everything that was wrong with the Senate could be fixed through Senate reform, through various changes we could make. I have given up on that idea. It has been abused so egregiously in recent years. It has been stacked and stuffed with hacks and flacks to the point where it is irredeemable. Having a two-tiered Senate is only going to compound the problem and make it worse.

• (1615)

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I listened intently to my colleague's remarks. I found a parallel to what he was talking about with the Senate and the current government in a majority situation. The point on Bill S-7 is that the government can act just like senators. The Conservatives do not care when they have a majority situation at committee. When we put forward 18 amendments to the bill, they were all voted down and ignored. In fact, expert testimony was ignored.

I have a quote I would like the member from Winnipeg to talk about. Mr. Paul Calarco, who is a member of the National Criminal Justice Section of the Canadian Bar Association, says:

There is no question that the prevention of terrorist action is vital to preserving our society. This requires effective legislation, but also legislation that respects the traditions of our democracy. Unfortunately, this bill fails to achieve either goal.

Would my friend like to comment on that, perhaps even referencing the Senate again?

Mr. Pat Martin: Mr. Speaker, I appreciate the opportunity to comment on what was a very legitimate and serious question. In my view, the way the bill is being treated on this day in the aftermath of one of the greatest terrorism attacks in North American history and the undermining of another attempt at terrorism, trivializes and politicizes the issue and does a disservice to how serious it is an obligation of a government to keep its citizens safe.

If the government were serious about doing all it could to cooperatively work with Parliament to act in the best interests of Canadians, if we were in fact under siege or under attack, there should be a war cabinet attitude where the leader of the Conservative Party, the Prime Minister, would bring together the leaders of the other parties and work collaboratively to act in the best interests of Canadians, not to rehash this flawed legislation, especially through the back door of the other place where it has no business originating.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I rise today to speak to Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, or the combating terrorism act.

Of course, we must begin today by marking the events that have taken place in recent weeks. Last Monday, two bombs exploded during the Boston Marathon, killing three people and injuring 183 others. That event touched every one of us in the House. We were deeply moved by the news and that is probably the reason why the entire House has risen to condemn that attack.

Yesterday, we also learned the facts surrounding the VIA Rail conspiracy. Our security services were successful in dismantling a terrorist plot. This was an outstanding achievement on the part of our law enforcement agencies, the RCMP and CSIS, which worked together with the FBI and Homeland Security. This situation clearly demonstrates that we can work together to combat terrorism, and that is very important to the NDP.

Before analyzing Bill S-7, we have to talk about its history. We must not forget that the Anti-terrorism Act that was brought forward in 2001, after the September 11 attacks, changed Canadian law. In response to a very tragic event that moved the entire world, Canada brought forward a number of initiatives and laws that tackled the problem of terrorism. At the time, this was a spontaneous reaction; the government then was not sure whether these provisions should be retained or re-enacted. It passed a sunset clause, so the provisions and measures would expire and it could re-examine the situation to see whether the laws should be brought forward again.

In 2007, in the House, by a vote of 159 to 124, those measures were rejected. At that time, the Liberals were also opposed to them. The present Conservative majority government, however, has decided to bring these provisions back in the form of Bill S-7, which comes from the other Chamber.

We have spoken out against it and, as the media have reported, we are outraged that the Conservatives have exploited a tragic situation in a way that is unworthy of parliamentarians. I am talking about the Boston bombings and the plot that was foiled.

That is a very political and partisan way of using a situation that impacts everyone to push a bill through. If the Conservatives were serious about this, they would have introduced it in the House, not in the Senate. The Conservatives have been dragging their feet on this bill since February 2012. Taking advantage of this kind of situation to push a bill through and score political points is very partisan and cheap.

It is not surprising that we are opposed to Bill S-7. We are simply reiterating our 2007 position. Plus, the Standing Committee on Public Safety and National Security has done studies. I would like to thank our critic, the member for Toronto—Danforth, who has worked so hard on this file. He utilized every resource, studied the subject in detail and capably advised us and guided us on this matter.

Bill S-7 has four main objectives. First, it will amend the Criminal Code to allow for investigative hearings and recognizance with conditions. Second, it will amend the Canada Evidence Act to allow judges to order the public disclosure of potentially sensitive information about a trial or an accused once the appeal period has expired. Third, it will amend the Criminal Code to create new offences of leaving or attempting to leave Canada to commit a terrorist act. Fourth, it will amend the Security of Information Act to increase the maximum penalty for harbouring a person who has committed or is likely to commit a terrorist act.

•(1620)

I have spoken a little about the background to these provisions, but I would like to go into greater detail about the reasons why the NDP is opposed to the bill.

We believe that Bill S-7 violates civil liberties and human rights. Having sat on the Standing Committee on Justice and Human Rights, I will say that we increasingly feel we must strike a balance. On the one hand, the purpose of the bill is to protect the public, but, on the other hand, we must look out for our rights and freedoms, which really are the basis of our democracy.

Unfortunately, and we see a lot of this in the Standing Committee on Justice and Human Rights, the Conservatives increasingly introduce bills that violate the charter and violate rights and freedoms. Not surprisingly, many of the Conservatives' bills are now before the Supreme Court. Even the provinces have to oppose them and institute legal proceedings. This process costs us an enormous amount of money. If the Conservatives did a better job, we would be sure to strike a better balance between rights and the purpose of the bills.

Consequently, one of the problems with Bill S-7 is that it violates the right to remain silent. It also violates the right not to be sent to prison without a fair trial. I personally do not sit on the Standing Committee on Public Safety and National Security, but some of my colleagues there have heard witnesses from the legal community and civil liberties advocates, who really have said that the provisions of Bill S-7 are pointless, that there is a lack of balance between security and fundamental rights, particularly as regards the role of the Attorney General.

Let us briefly look at what happened after the Anti-terrorism Act was passed in 2001. There was the Maher Arar affair. The government went ahead with these types of measures and Mr. Arar, a Canadian, was deported. He was arrested in the United States and deported to Syria, where he was tortured. It later came out that all this had been done based on false information. The Prime Minister recently had to apologize and to pay \$10.5 million in compensation, if I am not mistaken.

Let us not forget that all that happened when the Liberals were in power. So that shows what the Liberals want to continue doing. I am a bit surprised that they have not learned their lesson. In 2007, they voted against the legislation, and now they have changed their minds. That may be because they have changed leaders and are therefore more supportive of what the Conservatives want to put forward. However, we find it quite surprising that the Liberals, who claim to be proud defenders of the Charter of Rights and Freedoms, are voting in favour of this bill as presented.

Government Orders

We in the NDP have studied the bill. We have proposed amendments designed to put forward a more balanced bill. As we often say, we must not just oppose, but also propose. So we made proposals and put forward 18 amendments that improved the bill's transparency, for example. They would have reduced the negative impact on civil liberties. Unfortunately, since the Conservatives were in the majority, all those amendments were, of course, rejected.

•(1625)

[*English*]

Mr. Paul Copeland, a lawyer from the Law Union of Ontario, said that in his opinion, the provisions we are looking at here—we were talking about Bill S-7 in committee—would unnecessarily change our legal landscape in Canada. He said that we must not adopt them and that in his opinion, they were not needed. Other provisions of the code provide various mechanisms for dealing with such individuals.

We also have the statement from Reid Morden, former director of the Canadian Security Intelligence Service, who stated, in 2010, that police and security services “have perfectly sufficient powers to do their jobs.... They don't need any more new powers”.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for his speech, enlightening as usual.

I would like to ask him about the government's way of doing things. He already talked about it in his speech. I actually think the bill could have been passed a number of weeks, if not months, ago because it is here and we have been debating it for some time. The government brought it back as a way of setting aside a Liberal motion that would have embarrassed them. The government tends to avoid some debates and to bring others back on the agenda, when sad events take place.

Could the hon. member comment on the government's opportunistic attitude?

Mr. Hoang Mai: Mr. Speaker, I would like to thank the hon. member for Sherbrooke.

He is absolutely right in saying that the Conservative government is being opportunistic. As I said, the tragic and horrific events that took place have affected all of us. However, the bill from the other place was introduced in February 2012, if I am not mistaken. That means that it has been sitting on the Conservatives' desk for some time. If the government had really been serious about this bill, it would not have introduced it at the other place. It would have done so itself.

We have seen it, the media have seen it, the Liberals have denounced it and we are denouncing it too. It was the government's response to avoid debating a motion on an embarrassing topic. To change the subject and to dazzle everyone, it brought back Bill S-7.

Government Orders

Last Friday, we saw the Conservatives respond in a knee-jerk way to protect themselves. Unfortunately, considering how important our rights and our discussions on major issues are, I think the government must not be opportunistic or partisan, but rather, must think about the interests of Canadians before it acts in such a manner.

• (1630)

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, my colleague touched on this issue during his speech. I wonder if he could elaborate on the constitutionality of the bill, considering what we learned recently about a lawyer from the Department of Justice who was suspended without pay for saying that the Conservative government had lowered down to 5% the degree of certainty that its legislation complies with the Charter of Rights and Freedoms. In the past, the Department of Justice would try to be at least 90% or 95% sure that a proposed piece of legislation was constitutional and would pass the test of compliance with the charter. Currently, that degree of certainty is somewhere between 5% and 10%.

I would like to hear the hon. member on this issue and on the possibility that Bill S-7 may not comply with the Charter of Rights and Freedoms.

Mr. Hoang Mai: Mr. Speaker, I thank my colleague for his question.

This issue was also raised by our justice critic, the hon. member for Gatineau, at the Standing Committee on Justice. We know that the government does not really have any structure to review government bills, and even less so for reviewing private member's bills.

We know that no study is done and that there is no established system to ensure that a bill does not go against the Charter of Rights and Freedoms. We asked that this matter be looked into, but since the Conservatives hold a majority they refused to do so. I was disturbed to find out that, even internally, it is no longer as important for a bill to comply with the charter. This opens the door to legal proceedings, which costs Canadians dearly. The government must go before the courts, including the Supreme Court. The costs involved are huge and, unfortunately, this is because the Conservatives behave in a partisan and ideological fashion, without really verifying what their laws introduce.

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Winnipeg North, Public Safety.

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I thank my colleagues for this warm welcome.

Considering what we are dealing with, what happened yesterday and what happened in Boston a week ago, I want to begin by offering my condolences to the families and loved ones of the Boston bombing victims. I am speaking on behalf of all my constituents, regardless of their political allegiance, and I also want to thank all those who helped foil the plot that we were informed about yesterday.

I travel regularly on VIA Rail, and I am pleased to see that people whom we do not always see in action, are doing an exceptional job, and I thank them for that.

Having said that, it is important to reflect on this issue, even though it is always a bit awkward to ask political questions after such incidents, because it may be interpreted as partisanship. However, that is precisely what we are seeing here today.

Since the beginning of the 41st Parliament, the government keeps resorting to gag orders and closure motions. We have to ask ourselves if this is really a priority for the government, considering that it has so often tried to ram bills through, under the pretext that they are important for the economy or for public safety. The reasons given by the government are sometimes trivial and are sometimes made up. We must ask ourselves that very important question. We must ask ourselves whether it is truly appropriate to suddenly bring this debate back in order to score political points.

We must also ask ourselves another question. If the minister is serious about improving legal actions relating to terrorism, why did he not present the bill himself in the House of Commons? Why delegate such an important task to the Senate, which is unelected and unaccountable to the public?

We were elected by the public as part of their civil rights to represent them. Given his numerous responsibilities, rising in the House to introduce a bill is the least a minister of State can do. This was another concern we had about this bill, and again it makes us wonder how serious the government is about this issue.

The Conservatives claim to be the great defenders of public safety and like to spit on the work of the opposition parties, particularly the work of the NDP. We have good reason to wonder whether they are serious about this matter, when they send bills to the Senate and impose gag orders.

I am very interested in this issue. At the risk of sounding young to some of my colleagues, the events of September 11, 2001, had a tremendous impact on me and affected a lot of people. Those events marked the beginning of my interest in politics. I was a teenager then. It is actually a big deal for me to admit that in a debate in the House. However, it is true, because I find it very interesting to look at it from that angle. As I result, I followed all the debates around those events and they sparked my interest in politics. We are all familiar with the debates that were held in the U.S. on the infamous patriot act and all those debates on civil rights and civil liberties, as well as constitutional issues.

In Canada, we have not been immune to those issues. A lawyer once said that just because unfortunate events take place and we do not support certain legal decisions, does not mean we automatically have to change the law. It is important to keep that in mind for debates like this.

After all, we cannot say that we want events like that to occur. Those attacks are clearly tragic events. It is shameful that members of our society think about doing such things, but we have to be very careful before we make any changes. The fact that a tragedy takes place does not mean that we must automatically change things. We must really take the time to look at existing measures. Before we change the law, we must look at what we can do for the people who are already doing this work.

● (1635)

Yesterday, members of the RCMP and various public security forces thwarted a plot despite the budget cuts imposed by a government that claims to be the champion of public safety.

In recent months, the NDP has raised a number of questions in the House. The members for Esquimalt—Juan de Fuca and Alfred-Pellan, our public safety critics, and the member for Gatineau, our justice critic, have asked questions about why the government has been talking up public safety while cutting staff at organizations that are working very hard to maintain this safety.

Before making major changes that will violate civil liberties, we must ensure that people already on the ground who are using existing measures are well equipped to continue doing what members of every political persuasion recognize as excellent work. This is a fundamental issue in this debate, given the major changes being proposed.

My colleague, the member for Brossard—La Prairie, and all my colleagues who spoke before me, talked about the debates on public safety that have taken place in the House over the past 10 years, since 9/11. The issue was whether or not a person should be detained for 72 hours.

Is it appropriate for Bill S-7 to be so broad in scope that it allows people who are not even suspected of committing terrorist acts to be detained? In committee, we saw that this was deliberate on the part of the government.

In my opinion, it is very disturbing to know, as my colleague from Gatineau said, that the government wants to keep things vague when an amendment is suggested. That is very problematic. We must be very careful when introducing bills about safety that could violate civil liberties. We have to be as clear as possible, no matter what our political leanings. We have to protect people's safety while ensuring that we continue to live in a free society that protects fundamental rights and civil liberties, which are extremely important.

The Supreme Court of Canada rendered a decision along those same lines. Since it pertains to the subject of debate, I would like to tell the House that I had a conversation with my hon. colleague from Toronto—Danforth. He already mentioned this to the House. He told me that despite the Supreme Court decision, there are some good points in the existing legislation and that it is very important for us to keep in mind that, as parliamentarians, we have a duty to make our own decisions.

I think it is important that we not view the Supreme Court as a body that decides for Parliament, but rather one that works in co-operation with Parliament to ensure that our laws properly reflect the values of our society.

Government Orders

For this reason, if the court has a problem with a bill, it can simply return it to Parliament. It does not always prescribe corrections, if I remember correctly from my courses on political and constitutional issues. It is important to have this dialogue. This debate has been going on for many years.

In 2007, about five years ago, it was noted that legislation proposed in the past had not changed anything in terms of people's safety and that the existing legislation was more than adequate.

I would therefore ask the government to reconsider its proposed legislation. We cannot support this bill because it infringes on civil liberties.

The government needs to take a good look in the mirror and decide to continue to give the necessary resources to the people we saw hard at work yesterday. That proves that they are doing an excellent job. The tools are already available to them. We need to continue to work with what we have. We should not be trying to make any major changes like the ones proposed in this bill. Those changes will achieve nothing and will only violate our civil liberties.

In closing, I want to point out once again that regardless of the political debates we might have, I think we all agree that we need to fight terrorism and protect Canadians. Let us do so responsibly. That is crucial to protecting the values of our society.

● (1640)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I bring in the comparison once again in regard to Bill C-55 and Bill S-7.

Bill C-55 deals with wiretapping. I quote what a judge indicated, and this is a Supreme Court of Canada ruling:

Section 184.4 contains a number of legislative conditions. Properly construed, these conditions are designed to ensure that the power to intercept private communications without judicial authorization is available only in exigent circumstances to prevent serious harm. To that extent, the section strikes an appropriate balance between an individual's s. 8 Charter rights and society's interests in preventing serious harm.

The Deputy Speaker: Is there difficulty with the system? Does the member have his BlackBerry on his desk?

[*Translation*]

I think that the member for Chambly—Borduas is ready to respond.

[*English*]

We will go back to the hon. member for Winnipeg North to finish the question.

Mr. Kevin Lamoureux: Mr. Speaker, the point is that when we do the comparison between Bill C-55 and Bill S-7, both of them deal with individuals' rights. Both of them deal with issues related to the charter.

On the one hand, as the party that introduced the Charter of Rights and Freedoms in Canada a number of decades ago, we are very sensitive to the importance of individual rights.

Government Orders

Bill C-55 deals with wiretapping. This particular bill deals with investigative hearings. Both concerns were in regard to individual rights.

When it came time to vote on Bill C-55, every member of the House voted in favour of it. In the case of this particular bill, the NDP will be voting against it. The same arguments the NDP used to vote against it here in principle could have been used for Bill C-55. My question is this: why the inconsistency?

• (1645)

[Translation]

Mr. Matthew Dubé: Mr. Speaker, they are two separate issues.

I do not want to put myself forward as an expert in the law, but what is important here is the issue of detention and the definition. I am referring, for example, to the fact that there is a definition under which it is possible to arrest people who have not necessarily been accused of an act of terrorism.

Without wanting to get involved in another debate, I would like to make a distinction between what I understood of the issue and the member's comments. There are two different issues at play.

I will stick to the debate on Bill S-7. When we talk about civil liberties, the key issue is the way in which people are defined when it comes to detention. That is what is important here, today. Once again, I stress that I am not an expert in the law. However, this nuance is extremely important.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I appreciated my colleague's comment. He could perhaps tell the member for Winnipeg North that, in fact, Bill C-55 was a response to an attack on sections of the Criminal Code that were amended in an exaggerated fashion. The response, given in the form of Bill C-55, met the Supreme Court's criteria. Moreover, as I said earlier, it was a slightly more prudent way of responding in terms of human rights.

We now have Bill S-7 before us, and it will probably be challenged. We will be forced to return with a bill that complies with the Supreme Court's requirements.

Indeed, it would seem that the NDP is the protector of the rights and freedoms under the Canadian Charter of Rights and Freedoms. I would ask the member to comment on that. The Liberal Party no longer seems to understand the charter, or may have forgotten it; I do not know which is the case. Perhaps my colleague can shed light on this.

Mr. Matthew Dubé: Mr. Speaker, these nuances are problematic, especially in light of the decisions that the court has previously made. I will come back to what needs to be done in terms of the court's decisions.

It is extremely disappointing that the Liberal Party supports the bill. We want to hear what the court has to say, but we also believe that, as parliamentarians, we have a responsibility to address the problem before it reaches that point.

I will repeat exactly what my colleagues have already said concerning the lawyer at the Department of Justice. Fortunately, he spoke publicly about the fact that the government was not conducting any prior verification. We are demonstrating due

diligence to ensure that things do not reach that point. We have responsibilities as legislators.

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I was listening to the debate yesterday and today and one speech in particular caught my ear, and that was the debate brought forward by my colleague, the member for York South—Weston. He had a really good story in his speech and I want to pick up on that.

My colleague for York South—Weston was talking a lot about the recognizance with conditions, or preventative arrest powers. This provision is really problematic. We know now that it is even more problematic than we thought because of some things that happened at committee when this section was being explored.

On recognizance with conditions, or preventative arrest, we have section 83.3 of the Criminal Code. However, Bill S-7 tries to prevent terrorist acts, which is a laudable goal, but the question is: Would that section of the act actually meet that goal?

The bill would allow for someone to be arrested because the police believe the arrest necessary to prevent a terrorist attack, which makes good sense to me. However, we had some problems with the way this section was worded because it could be read to mean that someone could be arrested who is not actually a suspect. Perhaps we do not believe that the person is going to carry out the terrorist attack but might know someone who is going to carry out the terrorist attack. It is written in an overly broad way.

The NDP raised this at committee only to hear from the government side that in fact that was the intention. It is not just there to sort of scoop up the person who is actually the suspect but it is to scoop up other people as well, which is way too broad. It is far too broad and that should not be the intention of any anti-terrorist legislation. I do not think it strikes a balance when we look at what our fundamental rights are.

However, the reason I liked the speech of my colleague for York South—Weston is that he used an example of someone in our community, and I will do something similar.

My home town is Kirkland Lake, Ontario and I represent the riding of Halifax. If there was someone in Halifax, originally from Kirkland Lake, whom the authorities suspect may commit a terrorist act, the authorities could go to Kirkland Lake and arrest the suspect's mom. They could say, "This is your kid and we want to interrogate you". People can actually be interrogated under this bill. Therefore, mom could be arrested in Kirkland Lake, Ontario. She may or may not know anything about what is going on down in Halifax with her daughter, for example.

Furthermore, arrest is serious. My colleague for Winnipeg North was talking about wiretapping, which is also a serious breach of rights. However, that is different than arrest. It is different than arresting someone, putting them in jail, and hauling them before a judge.

So mom is arrested, interrogated, and asked what is going on. She appears before a judge, and the judge can set conditions, which is the recognizance with conditions. The judge can set conditions on her release, and the conditions might be that she cannot have a firearm.

Government Orders

Where I grew up, there were a lot of firearms in my house. We are a family that hunts and that was how we made ends meet when I was growing up. We could not tell my mom or step-dad that they could not do that. We very truly relied on that meat, especially in the winter months.

If mom says no, she is not willing to give up her firearms, she could be put in jail, which is beyond the pale. Surely to goodness that is not the intent here. For example, we are not looking to put my mom in Kirkland Lake, Ontario, in jail for something that she may or may not even have any knowledge of. Therefore, the idea of preventative detention really does go beyond the pale. I do not think it is something we should be supporting.

• (1650)

It does not strike that balance in combatting terrorism along with supporting our fundamental rights, freedoms, and liberties. I do not think it can be supported by saying that we might need this, that exceptional times call for exceptional measures. If we look back, this provision has never been used.

I want to talk a little about that, and about this idea of the sunset clause. When this bill was first introduced in its very first form to make the changes to the Criminal Code, the Anti-terrorism Act of 2001, it was Bill C-36. I will never forget that number. I was a first-year law student. September 2001, when I started law school, is when we saw the terrorist attacks in New York. I watched them happen from the student lounge on my way to property law.

This bill was introduced as a response to that, to make sure of lots of things, including to make sure we were up to international standards when it came to anti-terrorism law. As a first-year law student, I did not have very much experience doing legal analysis. A lot of what was happening around Bill C-36 was beyond me, but I was really concerned with it.

My fellow students were as well. We talked about it in the criminal law class. We talked about it ad nauseam with our professor. We had guest speakers come in and discuss it. I was a member of SALSAs, the Social Activist Law Student Association. We organized a panel discussion, sort of breaking down Bill C-36, what it could mean, what might violate the charter and what might not, and how this worked within the greater context of what we are trying to achieve here, that balance of our rights and our safety.

There was a lot of unease around a number of provisions. Different experts were coming forward and saying that they were not sure if it struck a balance and that they could not really predict what was going to happen in the future. This was an attack that we were unprepared for, and we did not know how to respond. It was hard to know if these measures went too far or not.

It felt like the measures went too far, but the saving grace, I remember, was the fact that there were these sunset clauses. If a jurist, an expert, a law professor, whoever was there, had a level of discomfort about these provisions, he or she said, "at least there is a sunset provision".

The sunset clause sort of lays out when a provision in legislation or a contract will expire, and usually the terms by which it will expire. It is kind of like an expiry date. After three years or five years we actually have to revisit this piece and decide whether or not it is

working, whether or not it has struck that balance. Sunset clauses are often used for controversial subjects, where we need to think about how the world is changing, and how legislation is changing to adapt to that changing world. They can be really useful.

On the question of balance, maybe Bill C-36 was a bit of a cop-out. Maybe people were too afraid to say no to some of these provisions. I do not know. I was not there. I was not particularly skilled at legal analysis at that point. However, that sunset provision existed for a reason.

We go back to looking at why we are here today, and we are here because of those sunset provisions. We have to look at these clauses again and again. We have to make that assessment about whether or not we should continue them, whether or not they have outlived their purpose, whether or not they have in fact crossed the line and gone too far.

I would argue that they have crossed the line and gone too far in something like the section on recognizance conditions. Why? Because it violates our rights, our fundamental rights, our liberties, and it has never been used. I could maybe see if we had the big success case of why this has been so important, why it has worked, or if the Conservatives could demonstrate to us that this is a violation of our fundamental freedoms but it is in some way balanced out because it has worked in some way. It has not.

These provisions have not even been used. What we are doing is we are opening that door. We are wedging it open, and we are allowing more infringement of the state on our lives, heading down towards that police state where the police have these incredible powers of saying, "Okay, mom, in Kirkland Lake, Ontario, we are going to put you in jail. We are going to put you before a judge, and you have to hand over all your firearms."

• (1655)

That balance has not been struck here and we do need to vote against this legislation without making these changes.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, periodically I like to stand just to emphasize the importance of making sure we have what many would classify as boots on the ground. We have talked in the past about the impact of budget cuts. This is something the Liberal Party has opposed. I wanted to bring that, once again, to the attention of the House.

I was passed a note here indicating the measure that is being suggested, an investigative hearing, allows law enforcement to compel those individuals suspected of possessing information about a terrorism act that has been or will be committed, to appear before a judge and answer questions. In these cases, Bill S-7 defines a judge as "a provincial court judge or a judge of a superior court of criminal jurisdiction". Before making an order for investigative hearing, a peace officer must first receive the consent of the Attorney General. Once an order is made, the judge would base his decision on whether there are reasonable grounds to believe that a terrorism offence has been or will be committed, that there are reasonable grounds to believe that the information gleaned from the hearing will in fact assist, and it goes on.

Government Orders

It seems to me that the experts, professionals, and law enforcement officers see this as a tool that would be of great benefit in terms of the potential to combat terrorism. Hopefully, they would not have to use the tool.

The member is making the assumption that her mom, or others, are going to be inundated by law enforcement officers taking away their civil rights, when there appear to be checks in place. After all, the Supreme Court of Canada, back in 2004, implied that it would in fact be constitutionally compliant.

• (1700)

Ms. Megan Leslie: Mr. Speaker, I do not know how to answer that question. We cannot have provisions in place, these incredible criminal law powers, these incredible state powers for the police to be able to violate our civil liberties just in case it might come in handy. Well, yes, it would come in handy; so do rubber hoses. However, we have certain safeguards in place, like the right to remain silent and like the right not to be arbitrarily detained. Those rights are enshrined in the charter, which the member points out time and again that his party brought forward. Whoop-de-do if we are not actually living up to those rights, defending those rights, and taking them for what they should be, which is fundamental to who we are as Canadians.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I want to congratulate my colleague from Halifax on her speech.

I would like her to comment on the flip-flop by the Liberal Party of Canada. The Liberal Party is the party that most often wraps itself in the Canadian Charter of Rights and Freedoms, which it says is so important in the history of Canada, and we agree with it on that point.

Why today will the Liberal Party, the party of the Charter of Rights and Freedoms, be going against all the country's rights and freedoms advocacy organizations, which tell us that Bill S-7 is a threat to our civil liberties? Why is it joining forces with the Conservative Party, when we know very well that there is a real chance this bill is unconstitutional and violates the Charter of Rights and Freedoms? Even the former director of CSIS said that the measures in this bill were neither appropriate nor necessary.

I would like my colleague to tell us about the Liberal Party's change in position.

[*English*]

Ms. Megan Leslie: Mr. Speaker, I have no idea why the Liberals would do this and not actually stand up to fight for the rights that they have so vigorously championed. This is a complete about-face.

I want to read something from the B.C. Civil Liberties Association from 2001, when this actually came forward for the first time. It stated:

To say that civil liberties can be qualified when an open society encounters extraordinary threats to its institutions is almost a truism. No rights are absolute, and security is a fundamental condition of the exercise of all other rights. But saying this much settles no issues at all. We still require some principled basis from which to assess the appropriate limits of government action.

I will close with that.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskaing, NDP): Mr. Speaker, I am happy to join the debate on Bill S-7, a piece of legislation that is the most recent in a series of anti-terrorism bills to come before Parliament since the tragic events of September 11, 2001. Unlike the parliamentarians at that time, we are able to look back at the original legislation, the debate and, most importantly, the results after more than a decade has passed, which should clearly instruct this discussion.

Certainly the debate that encompassed Bill C-36 was emotionally charged and took place in the period when the need for Parliament to respond to events competed with the clear-headed thinking these initiatives deserve. In some ways, that is the climate in which we are debating this legislation as well.

The brazen attack that took place during the Boston Marathon last week and the foiled attempt to attack VIA Rail that we learned about yesterday will colour this debate. Our hearts and prayers go out to the people of Boston as well as the victims of that terrible event. Similarly, we are proud of the security agencies that worked to stymie the terrorist plans for an attack on Canadian soil. Yet it is up to the members of the House to ensure they maintain the level of critical thinking that will allow us to arrive at the best legislation.

The original anti-terrorism legislation, Bill C-36, offers a clear example of how a government may not identify deficiencies in its proposals. It also shows how working with the opposition ultimately led to legislation that was more closely aligned with the democratic values of Canada and the sensibilities of Canadians, who rightfully cherish their rights and liberties.

When Bill C-36 was introduced, the Liberal government was both responding to the events of September 11 and updating Canadian legislation so that it could fall in line with international standards. The bill did not originally include a sunset provision for parliamentary review, even though rights and liberties were being ceded under special circumstances. The mechanism to ensure parliamentary review was added to the bill as it was debated in the chamber and reviewed at committee.

Certainly, the New Democrat fight for sunset provisions was not made to be popular. It was hard to make the point that it is ultimately more democratic to review measures that limit rights and liberties from time to time in such a volatile and emotionally charged climate, but it was the right thing to do.

Today, we are facing a similar situation. The difference is that there appears to be no working with the government or any desire on its part to see room for improvement in its own proposal. This is despite our ability to review the outcomes of the extraordinary powers that were contained in Bill C-36. In fact, when Parliament reviewed the parts of the bill that were subject to a sunset clause, they were not renewed, in no small part because it was revealed that these special measures were never used between 2001 and 2007. It is also important to note that all of the parts of Bill C-36 that were not subject to review remain in place and, as we have seen just this week, are allowing Canada to thwart terrorist plots.

Government Orders

This is the fourth attempt to recreate the extraordinary powers of the original anti-terrorism bill. It remains an exercise of making sure we do not surrender more civil rights and personal liberties than necessary. However, the government is refusing to listen or cooperate.

Despite New Democrat amendments that would have heightened transparency and reporting, as well as reducing the negative impacts on civil liberties, and despite testimony at committee that supported those amendments and the values we sought to protect, which are valued by most Canadians, the government's response was to dismiss and vote down every single item. That is both a shame and an indictment of the government, which is reluctant to work with parliamentarians in a constructive way, to put it charitably.

As I mentioned, the provisions we have available to fight terrorism are allowing Canadian officials to do their job. The foiled plot we learned about only yesterday makes that case clearly, so we should not feel as if our law enforcement officials are working in a vacuum with no provisions to combat terrorism.

• (1705)

There are certainly ways in which we can aid that work, but it cannot be done at the expense of the rights and liberties we seek to protect. This is not just the opinion of the New Democrats but also of respected groups like the British Columbia Civil Liberties Association, the Canadian Civil Liberties Association, the Canadian Association of University Teachers and la Ligue des droits et libertés. These groups feel Bill S-7 does not strike the appropriate balance, and they also support the notion that the current powers of law enforcement already allow security agencies to pursue, investigate, disrupt and successfully prosecute terrorism-related crimes.

This bill would allow persons to be detained for up to three days without being charged; would strip individuals of their basic rights, as accused under criminal proceedings, to know and challenge evidence against them; would threaten them with criminal punishment; and would compel individuals to testify in secret before a judge in an investigative hearing. In addition to that, a judge could impose imprisonment of up to 12 months if the person did not enter into recognizance.

Add to that provisions of recognizance that would intentionally include a broader spectrum of individuals engaged in an activity that can be more properly described as a feature of democracy: expressing a dissenting opinion by way of protest. That can be seen as related to terrorism, and we can see that there would be mechanisms in this legislation that would go beyond the stated intent of the measures we are discussing.

Again, New Democrats are prepared to make important arguments that are easy to characterize in a negative light, but we are confident they will be confirmed over time and are critical to preserve the human rights and civil liberties of individuals who are in no way engaged in terrorism activities.

In committee, it was revealed that the Conservatives intentionally worded new section 83.3 of the bill to allow security agencies to sweep up these people under the pretense of fighting terrorism when their actions are not at all related to that subversive behaviour. As a

result, we could end up detaining young people who are engaged on a particular issue to the point that they are willing to join a protest and exercise their rights to assembly and free speech. We could detain those people, using the provisions concerning recognizance in this bill, and the Conservatives think that is just fine.

New Democrats cannot and will not accept that, and feel the bill would overreach its intended target and would also serve the Conservatives' desire to sweep protestors, whose message they do not particularly want to hear, under the carpet. How can this be seen as anything but a significant surrender of rights? The answer of course is that it cannot.

New Democrats attempted to amend this and discovered that the broad net cast under those provisions related to recognizance was not merely a case of oversight on the part of the government, but they were deliberately worded to cast that broad net to include individuals who are not suspected of engaging in future terrorist activity. That amounts to using anti-terrorism measures to target non-terrorists and stifle democratic dissent, something the government would never do under other circumstances and can rightly be seen as opportunistic and cynical.

I have argued that we are compelled to learn from experience and history, yet the Conservatives clearly feel no need to do as much themselves. While they have a majority in this place, the ability to push through legislation is far different from the ability to arrive at the best legislation. When considering measures that impose upon individuals' rights and liberties, it is far more desirable to take the time to ensure the effort is on the mark than it is to rush toward deadlines, blinded by the belief that no other interpretation has merit or could conceivably improve the way we combat terrorism.

Again, it is clear that the Criminal Code contains the necessary provisions for investigating individuals and groups involved in criminal activity and for detaining anyone who may present a threat to Canadians.

Terrorism is abhorrent, and it is clearly not something that any country wishes to struggle with. That said, it is also sadly a feature of our societal discourse and has become something that no longer happens only in places far removed from Canadian soil.

It is important for parliamentarians to engage in this debate, just as it is imperative that we get it right. We cannot engage in a process that creates the ironic outcome where rights and liberties are surrendered to protect those same rights and liberties, which are among the hallmarks of the freedom we enjoy. Canadians are counting on parliamentarians to get it right. We have the tools at our disposal to do as much, and I would hope the Conservatives find the will to make the appropriate adjustments to their legislation that would go a long way to meeting those expectations.

Government Orders

• (1710)

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I thank my colleague for her excellent speech, which I believe emphasizes what this debate should now be about: the protection of Canadians' and Quebeckers' civil liberties and the fact that the government is bringing back old provisions that were hastily introduced following the September 11 attacks and were never used.

From 2001 to 2007, those provisions that the Conservatives want to bring forward, which restricted our rights and freedoms, were never used. Furthermore, they were never useful. On the contrary, our police forces have the resources, capability and tools they need to protect Canadians' safety. I would like to hear what she has to say on that subject.

• (1715)

Mrs. Carol Hughes: Mr. Speaker, I thank my colleague for his question. Only the NDP truly wants to protect the rights and freedoms of Canadians. That much is obvious.

In my opinion, it is very disappointing to see that the Liberals will be supporting this bill, which will really have a negative impact on people's rights in Canada. It is unbelievable.

When we look at this bill, we can already see what happened this week with VIA Rail. Laws are already in place for combatting the problem of terrorism. The tools are already there. There is no need to keep on creating a new one every time a critical situation arises. We have to look at what we have, how it can be improved, if necessary, and whether it is working. It is obvious that right now, it is working.

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, one aspect of the bill concerns me greatly, and I would like to know whether that concern is shared by my colleague. The Liberals wrap themselves in the Charter of Rights and Freedoms. Yet they are going to support a bill that is necessarily at odds with the charter, particularly when it comes to the part that says we can arrest someone even if we are not sure they are really associated with a terrorist group. There is not a judge in the Supreme Court who will say that there is no danger. It is impossible. There is an unbelievable contradiction.

The major consequence will have an impact on the security forces, who will have to live with completely twisted decisions. They will be wondering if such a thing has to be done, only to end up with a form of charge that is not possible. Doing this is going to put people in the security forces in an untenable position.

We are told that the Liberals are going to support it and that they have not thought about that. They do not want to make their new leader look too soft. They are going to take a decision that makes no sense. I would like to know whether my colleague shares these concerns.

Mrs. Carol Hughes: Mr. Speaker, once again, we have to ask ourselves questions when such a bill is presented.

As I said, it is surprising that the Liberals are supporting a bill that will really have a negative impact on the rights of Canadians and their Charter of Rights and Freedoms. When there is a demonstration, in Quebec or elsewhere, they will obviously use such legislation if they do not agree with the demonstration. We therefore

have to ask ourselves the following questions: is the legislation necessary? Are current laws sufficient to deal with the problem of terrorism? Does the legislation violate fundamental rights?

We quite simply do not believe that Bill S-7 meets these criteria. I think it is obvious that there is no difference between the Conservatives and the Liberals with respect to the protection of our rights: they disagree.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I would like to begin my speech, which will end the day, by pointing out the irony of this situation. We can already hear Conservatives outside the House accusing the NDP of being soft, of not believing that safety is an important issue and of being soft on crime. It is the same old tune. However, this is their bill. Although we might be hearing them outside the House, we are not hearing them much in here. They are not here; they are not talking today. The NDP members are the only ones standing up to say that they care about the safety of Canadians and the Canadian value of respecting rights and freedoms. As the official opposition, we take this issue much more seriously than the Liberals do. They will stand with the Conservatives and vote in favour of a bill that will undermine our civil liberties. We find that particularly disconcerting.

I would like to begin by reading from a column written by Rima Elkouri, which appeared in *La Presse* this morning.

"You're either with us or against us," said George W. Bush in the wake of the terrorist attacks of September 11, 2001.

This famous ideological motto was quick to resurface after the attacks in Boston. The [Prime Minister's] government did not hesitate to seize the opportunity to exploit the tragedy for partisan purposes by immediately forcing debate on tougher anti-terrorism laws...

We are obsessed with safety, and oh, by the way, we would like to take away some of your rights. But have no fear, it is for your own good. And whatever you do, don't think.

The Conservatives' haste to force debate on this bill has to do with grandstanding, putting on a show. It is about smoke and mirrors. Opposition days were scheduled this week. True to Conservative form, they are using the victims of the attacks in Boston for political gain. We find that offensive. The context surrounding this forced debate needs to be clear. Members opposite wanted to avoid a more difficult debate on parliamentarians' right to freedom of speech.

A few of my colleagues pointed it out, and I also asked questions about this today. The two most important provisions in Bill S-7 were created years ago and are being brought back even though the sunset clause passed after the attacks of September 11, 2011, has expired. In all the years that these two provisions were available to police forces, they were never used. They have not existed since 2007, and the government is now attempting to bring them back with Bill S-7.

However, it is clear from the Toronto 18 affair and, this week, the thwarted attack on a VIA Rail train that police forces have the means to protect Canadians' safety and that it is not worth jeopardizing the rights and civil liberties we enjoy. With respect to the case of Chiheb Esseghaier, who was arrested for allegedly plotting to blow up a VIA Rail line, I will read an excerpt from Christiane Desjardins' article in *La Presse*:

Business of Supply

Earlier this morning, Mr. Roy summarized the charges against Mr. Esseghaier: one count of conspiracy to interfere with transportation facilities in association with a terrorist group, conspiracy to commit murder in association with a terrorist group, two counts of participating in the activities of a terrorist group, and one count of giving instructions to someone to carry out an activity in association with a terrorist group.

Do we need more legal provisions to help our police do their job, protect Canadians' safety and prevent terrorist attacks? I do not think so. I would also like to quote Reid Morden, the former director of the Canadian Security Intelligence Service, who had this to say in 2010, when referring to the provisions that were passed in 2001 and that the government is attempting to bring back:

Speaking strictly of those two particular provisions, I confess I never thought that they should have been introduced in the first place and that they slipped in, in the kind of scrambling around that the government did after 9/11. ...It seemed to me that it turned our judicial system somewhat on its head. ...I guess I'm sorry to hear that the government has decided to reintroduce them.

The former director of the Canadian Security Intelligence Service said that only three years ago.

"Police officers and security forces have all the powers they need to do their job properly. They do not need additional powers." That is what Mr. Morden said in 2010.

• (1720)

What reasons, then, do the Conservatives have for tabling a bill that originated in the Senate, that unelected, undemocratic and unaccountable chamber that is already grappling with many problems and scandals, a chamber that generally serves as a repository for friends of the Conservative Party—party presidents, organizers, fundraisers and the like—where they can do political work at the taxpayer's expense? That is a whole other debate, though.

What reasons do they have for reintroducing measures that were never used, that are therefore useless and ineffective, and that threaten the freedoms we and 34 million other Canadians enjoy? Why put these freedoms at risk for the sake of measures that we do not need, that will not work and that most groups defending our rights and freedoms angrily denounce?

This morning, someone in my office contacted officials at Amnistie internationale Canada francophone. What they had to say was quite simple: restricting people's freedoms is not the way to prevent terrorism. Their view is also shared by the Canadian Bar Association and a number of experts who testified before the committee and are very concerned.

The NDP share their concerns. We will never compromise when it comes to security or our rights and freedoms.

• (1725)

[English]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

[Translation]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I ask that the vote be deferred until tomorrow, Wednesday, at the end of the time provided for government orders.

The Deputy Speaker: Does the hon. member have the consent of the House?

Some hon. members: Agreed.

The Deputy Speaker: Accordingly, the recorded division stands deferred.

* * *

BUSINESS OF SUPPLY

OPPOSITION MOTION—FIRST NATIONS, MÉTIS AND INUIT

The House resumed from April 19 consideration of the motion.

The Deputy Speaker: It being 5:30 p.m., pursuant to order made Friday, April 19, 2013, the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

Call in the members.

• (1805)

[English]

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

(Division No. 665)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brisson	Brousseau
Byrne	Caron
Charlton	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Coderre
Comartin	Côté
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Day	Dewar
Dion	Dionne Labelle
Donnelly	Dubé
Duncan (Edmonton—Strathcona)	Dusseau

Private Members' Business

Easter	Eyking	Lemieux	Leung
Foote	Fortin	Lizon	Lobb
Freeman	Garrison	Lukiwski	Lunney
Genest	Genest-Jourdain	MacKay (Central Nova)	MacKenzie
Giguère	Godin	McColeman	McLeod
Goodale	Groguhé	Menegakis	Menzies
Harris (Scarborough Southwest)	Harris (St. John's East)	Merrifield	Miller
Hassainia	Hughes	Moore (Port Moody—Westwood—Port Coquitlam)	
Hyer	Jacob	Moore (Fundy Royal)	
Julian	Karygiannis	Nicholson	Norlock
Kellway	Lamoureux	Obhrai	O'Connor
Lapointe	Larose	O'Neill Gordon	O'Toole
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Énard)	Paradis	Payne
Leslie	Liu	Poilievre	Preston
MacAulay	Mai	Rajotte	Rathgeber
Marston	Martin	Reid	Rempel
Masse	Mathysen	Richards	Rickford
May	McCallum	Ritz	Saxton
McGuinty	McKay (Scarborough—Guildwood)	Schellenberger	Seeback
Michaud	Morin (Chicoutimi—Le Fjord)	Shea	Shiple
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)	Shory	Smith
Mourani	Mulcair	Sopuck	Sorenson
Murray	Nantel	Stanton	Storseth
Nash	Nicholls	Strahl	Sweet
Nunez-Melo	Pacetti	Tilson	Toet
Papillon	Perreault	Toews	Trost
Pilon	Plamondon	Trottier	Truppe
Quach	Rae	Tweed	Uppal
Rafferty	Rankin	Valcourt	Van Loan
Ravignat	Raynault	Vellacott	Wallace
Regan	Rousseau	Warawa	Warkentin
Saganash	Sandhu	Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Scarpaleggia	Scott	Sky Country)	
Sellah	Sgro	Weston (Saint John)	Wilks
Simms (Bonavista—Gander—Grand Falls—Windsor)	St-Denis	Wong	Woodworth
Sims (Newton—North Delta)	Sullivan	Yelich	Young (Oakville)
Sitsabaiesan	Toone	Young (Vancouver South)	Zimmer — 146
Stewart	Turmel		
Thibeault			
Tremblay			
Valerioté — 123			

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Allen (Tobique—Mactaquac)	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Bateman	Benoit
Bergen	Bernier
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chong	Clarke
Clement	Crockatt
Daniel	Davidson
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenny (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch

PAIRED

Nil

The Speaker: I declare the motion defeated.

* * *

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, given the good news that we have concluded debate on the final stage of Bill S-7, the combating terrorism act, and given my statement Friday regarding the rescheduling of business, I would like to officially designate tomorrow and Thursday as allotted days.

The Speaker: The House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1810)

[Translation]

FINANCIAL ADMINISTRATION ACT

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP) moved that Bill C-473, An Act to amend the Financial Administration Act (balanced representation), be read the second time and referred to a committee.

She said: Mr. Speaker, I am pleased to present Bill C-473 to the House today.

Private Members' Business

The issue of equality between women and men in a fair and equitable Canadian society was always at the heart of my previous professional life and now, today, as a politician, I am truly proud to be able to contribute to this cause.

Bill C-473 proposes a simple but effective improvement in the current legislation governing our public financial administration. Specifically, the bill wishes to offer balanced representation to Canadian men and women on the boards of directors of crown corporations.

The question of gender equity in the management of our crown corporations is not unknown to Canada's Parliament. In the House, the Senate and committees, the fact that still too few women are involved in the management of our political institutions and Canadians businesses remains an important problem that we must consider if we want to be able to say we live in a society with equal rights.

I would like to thank all the pioneering women who worked so hard to advance women's rights, especially in the sectors that traditionally were the preserve of men, such as politics and management.

Among others, I think of the phenomenal work done by the hon. member for London—Fanshawe, on which the spirit of my bill is based, and of my colleague from Churchill, who has been so lively in her defence of the issues affecting the status of women, and of the Senator from Bedford who has been trying for many years to make the infamous glass ceiling vanish.

Despite all their hard work, and while Canadian society has made many strides toward women's rights in recent decades, the numbers speak clearly: there is still a lot of work to do. That is why I decided to introduce Bill C-473.

The most recent data show that over 2,000 Canadians occupy positions in more than 200 crown corporations, organizations, boards of directors and commissions across the country.

Of all the positions available on the boards of directors of these organizations, only 27% of senior management positions are occupied by women. The situation is even worse for presidents of boards of directors. The most current figures show that only 16 of the 84 presidents are women.

Sadly, we are a long way from equal representation that would reflect Canada's demographic makeup and would offer professional growth and development opportunities to our talented women.

With women as 27% of boards of directors of crown corporations, we are far behind the 40% reached in most Scandinavian countries. Other countries such as Spain, France and the Netherlands have introduced measures to encourage more equity in their institutions.

Canada even lags behind the 30% quotas imposed by South Africa and Israel—quotas that have been exceeded for a number of years.

As our country has evolved, it has established a robust democratic process for nominations and appointments to fill the positions on the boards of our crown corporations.

Ministers manage the appointments within their own portfolios, and present their nominations to the Governor in Council.

In the selection process, criteria are established to define the essential qualifications for a given position. In order to attract a large number of potential candidates, a number of mechanisms are used, such as the Governor-in-Council appointments website, executive recruiting agencies, newspapers and specialized publications. Candidates who express an interest are evaluated on the basis of the requirements of the position they apply for.

With regard to the issue of balanced representation, one of the problems—not to say prejudices—our society has had to deal with was that there were not enough women with the necessary qualifications to meet the requirements of the position. This problem disappeared over the years, with mass education for Canadians and access for women to post-secondary studies.

These days, and this is the opinion of a number of experts who have looked at the issue, one problem that persists is that we are still using the traditional recruitment pools to find candidates, where men are still in the majority.

•(1815)

Yet two factors we thought had almost disappeared from contemporary society are still very much in place: the “old boys’ club”, the traditional recruiting network for executive positions, and the familiar “glass ceiling” which is unfortunately difficult to break through for women aspiring to professional careers at the highest level.

My bill proposes an indirect approach to getting rid of these two stereotypes. Through the imposition of a gradual quota for representation of both sexes on the boards of our crown corporations, those responsible for suggesting appointments will be compelled to extend the boundaries of their recruiting methods, and open up the search for candidates with the necessary skills to include a non-traditional recruitment pool.

Canada can rely on a highly qualified female workforce. We can be proud of that. Its ranks include more than 60,000 women who are professional accountants, 20,000 women lawyers, more than 16,000 women engineers, thousands of women university professors and hundreds of women actuaries. There are thus plenty of women with the talents and skills to fill these positions. As a society, all we need do is give ourselves the resources to go out and recruit them.

Another point I would like to address concerns the proposed choice of quotas rather than voluntary incentives.

It must be said that some groups and organizations have come out against this kind of mandatory reinforcement measure. The justification usually given is the fact that the government should not become involved in the choices of outside organizations, like businesses.

Let us not fret. Let us remember, first, that my bill in no way affects organizations of a completely different nature from crown corporations.

Private Members' Business

It is also important to understand that the proposed choice of quotas is based on the results of careful reflection by experts, published studies and consultations with professional organizations. That reflection also took place in the light of results observed in other countries, where the problem of balanced representation has been addressed in one way or another.

On this point, I would like to share with my colleagues some more enlightening remarks by Anne Golden, chair of the Conference Board of Canada from 2001 to 2012, who noted that at the current pace, it would take 150 years to achieve equity at the top of the organizational ladder if the government did not step in with a mandatory measure.

One other blatant example justifies the establishment of quotas rather than voluntary measures. I am referring to Norway's failure when it took its first steps in this area. In 2003, Norway was the first country to pass legislation providing for gender equality on the board of directors of public limited companies. The legislation extended to crown corporations and came into force in January 2004. However, in getting to this point, the government had first attempted to negotiate with the private sector so-called voluntary quotas calling for 40% of seats on boards of directors to be held by women, warning that restrictive legislative measures would be brought in should the desired representation not be achieved by July 2005.

A survey of businesses conducted by Statistics Norway revealed that only 13% of businesses had established voluntary quotas and that women held only 16% of the positions on boards of directors as of the 2005 deadline.

That is why this kind of legislation is needed.

Norway went on to extend the scope of the legislation to public limited companies effective January 2006.

This proves that basic measures must be taken and that voluntary quotas do not work.

Another noteworthy example is Quebec. In this instance, theirs is a success story. Quebec is the only province to have adopted legislation aimed at achieving gender equality on crown corporation board of directors since 2006. Efforts in this regard have, to say the least, proved successful. In December 2011, the deadline by which crown corporations were to have achieved gender equality within the five-year period, 141 women and 128 men held positions on the board of directors of 22 Quebec crown corporations. Women made up the majority, or 52.4%, of directors appointed. All that remains is to ensure balanced representation in the number of women and men appointed to the board of each crown corporation subject to the act.

● (1820)

In the case of both Norway and Quebec, the legislation did not cause any problems or result in any additional paperwork, and needless to say, crown corporations are obviously very well managed.

Summing up, I would like to use my speaking time to mention the government's proposal to set up an advisory committee to look into ways of increasing the proportion of women appointed to company boards of directors, while working with the private sector to come up with concrete solutions.

This is a positive step forward and I can only agree with my colleagues opposite when they say that improving women's prospects of serving on the board of directors of companies is beneficial for Canadian women as well as for the country's economy. I assume their logic also extends to the board of directors of crown corporations.

However, in the case of the latter, I think the government needs to set the example and send a strong message about balanced representation in the management of our public finances. Such a message would open the door to many women with latent potential and could inspire companies to do likewise.

That is why I believe quotas are the most appropriate solution for crown corporation boards of directors. We are seeing a real success story in our own backyard. I am referring, of course, to Quebec.

I may have focused till now on the legislative measure proposed in my bill, but I would now like to discuss the time it is taking to achieve equality between the sexes when it comes to our financial administration.

Various approaches have been adopted by countries that have implemented similar measures and, in the case of Quebec, the provincial government gave itself a five-year timeframe. In light of the examples we are familiar with and in order to maximize the chances of success, Bill C-473 proposes a realistic six-year timeframe.

The current figures have female representation hovering around 27%, so it would be realistic to put in place the tools necessary to reach 30% in the next two years, 40% in four years and, ultimately, parity in six years. Obviously, if a board of directors were composed of an uneven number of members, it would stand to reason that there would be an imbalance in the female-male representation.

Before concluding my speech and moving on to questions and comments, I would like to take the few minutes remaining to invite my colleagues from all parties to take advantage of this unique opportunity to showcase the skills and aptitudes of female professionals across Canada.

It is my profound belief that, with this bill, Canada has an opportunity to emerge from the dark ages and position itself as one of the global leaders in gender equality, thereby catching up with many other G20 countries.

Giving competent women an opportunity to realize their full potential and contribute to the development of our community is a question of fairness, rights, democracy and economic prosperity. Everyone wins.

The NDP has always been, and will always be, the staunchest advocate of policies that enable women to fully participate in the stewardship of public finances, and we believe that women should have the same opportunities as men when it comes to serving on boards of directors.

Moreover, in light of the evidence, the NDP strongly believes that diversity among boards of directors is crucial for the good governance of organizations, and that it benefits everyone concerned.

As a woman, fairness and justice are among the fundamental values at the heart of my philosophy and my engagement. In my opinion, this bill is a concrete measure that will help to strike a balance in gender representation when it comes to the management of public finances, while at the same time better reflecting Canadian demographics. I hope, therefore, that my colleagues will come to the same conclusion, and that they will listen to the demands of thousands of women who wish to bring down the glass ceiling and contribute fully to Canadian society.

• (1825)

[*English*]

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, before I ask my question, I would like to congratulate my colleague for her visionary private member's bill. She acknowledged the work of other NDP women, including the MP for London—Fanshawe, who put this idea forward.

It is time for Canada to show leadership. We hear about an advisory committee the Minister for Status of Women has put together. We hear about some interest from the government. How important is it that the government support the private member's bill she is putting forward?

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, I would like to commend the hon. member for Churchill for her question. She has done a lot of work for the status of women. It is always important to hear what she has to say.

I have here a photo of the minister and an article that says that Ottawa wants more women serving on boards of directors. I am issuing the minister the challenge and giving her the opportunity to make that happen. Ministers have a strong political influence over crown corporations, our corporations. If the opportunity arises and the minister is serious, she can prove it in the coming years, first by passing this bill.

[*English*]

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I would be interested in hearing from my hon. colleague as she moves forward on Bill C-473. She clearly is interested in seeing the kind of progression that we all want to ensure happens for Canadian women. Has she reviewed, or had any contact and discussion on, the bill currently before the Senate dealing with the same issue?

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, the answer is yes. I met with a senator who is involved in many issues and who introduced a similar bill in the Senate. I also met with many women's groups.

In 1988, I got involved with the status of women and it became something that has been close to my heart ever since. I have had the opportunity to interact with many people who help women enter the labour market, as well as those who want to get women more involved in decision making and decision-making bodies in this country. I think it is important to start at the beginning. Crown corporations belong to us, which opens an important door.

[*English*]

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, we believe that senior executive

Private Members' Business

positions on crown corporations should be based on merit. We understand that women are under-represented on these boards. That is why budget 2012 launched the Government of Canada's advisory council on women on corporate boards. We believe in promoting the qualities of talented and capable women, without the need to create legislated gender quotas.

Also, in my riding of London North Centre I hosted a round table for women on boards. These were leaders in non-profit and for-profit businesses. The consensus was that we do not put quotas on corporate boards or on any boards.

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, I would like to thank you for allowing me to answer this question, because it is of the utmost importance.

The people in power often tell us this, but it is absolutely false. I said it in my speech. The Conference Board of Canada and others have said that it will take at least 150 years if nothing is done. I do not think that, as a civilized country, we can stand back and make young women wait 150 years.

More women than ever are taking business administration in college and university. We have female lawyers and actuaries. I am certain that the members opposite know young women who hope to become leaders in our society. These large boards of directors are limited. Females represent only 27% of their membership when most business administration graduates are women. Perhaps we should stop wondering whether these women are competent; they are.

• (1830)

[*English*]

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, it is an honour for me to rise today to speak to Bill C-473, an act to amend the financial administration act. As we know, women are significantly under-represented on corporate boards and our government certainly believes that having more women on corporate boards is smart for the economy, our government's number one priority.

[*Translation*]

Research shows that businesses with more women on their boards are more profitable. They routinely outperform those that have fewer women.

[*English*]

With economic uncertainty still ahead, that is the kind of business performance Canada needs if we are to grow our economy. It makes sense to recruit from the whole talent pool, not just part of it. However, when it comes to increasing the gender representation on boards of directors of crown corporations, the proposed solution in the bill is not acceptable. Legislated quotas are rigid and arbitrary thresholds that would adversely affect the appointment process.

Private Members' Business

[Translation]

That said, we agree that increasing opportunities for women to serve on corporate boards, including those of crown corporations, makes good sense for Canadian women and for Canada's economy.

[English]

That is why economic action plan 2012 called for the creation of an advisory board, which the member opposite mentioned. It is a council of leaders that will link organizations to a network of skilled and experienced workers. Its goal is to increase the representation of women on corporate boards. By increasing opportunities for women's leadership, the council will also help to keep Canada's economy strong.

Hon. members may know that the Minister for Status of Women recently announced the membership of the advisory council. We are talking about such distinguished individuals as Isabelle Hudon, president of Sun Life Financial, Quebec; Arlene Dickinson, owner and CEO of Venture Communications and an entrepreneur and host of *Dragons' Den*; John Ferguson, chair of the board of Suncor; Murray Edwards, president and owner of Edco Financial Holdings Ltd.; as well as Janet Ecker, former finance minister for the province of Ontario.

[Translation]

These are only some of the who's who of women and men with a wide range of experience in our country's boardrooms.

[English]

The advisory council will come back with recommendations by the fall of 2013. This is an important measure to help support increasing women's representation in leadership roles. In fact, there are countless qualified and ambitious women in Canada who want to contribute to our economic success. Promoting the increased representation of women in all occupations, including skilled trades and other non-traditional occupations, will allow women to participate fully in a stronger Canadian economy.

The government is moving forward with a three-point plan to address challenges in connecting Canadians with available jobs. The focus is to equip Canadians with the skills and training they require to obtain high-quality, well-paying jobs.

First, economic action plan 2013 announced that the government will transform skills training in Canada through the introduction of the Canada job grant as part of the renewal of the labour market agreements in 2014-15. Upon full implementation of the Canada job grant, nearly 130,000 Canadians each year are expected to have access to the training they need to fill available jobs. The government would also renegotiate the labour market development agreements to reorient training toward labour market demand.

Second, economic action plan 2013 proposes to reallocate \$4 million over three years to reduce barriers to the accreditation of apprentices. The government would work with provinces and territories to harmonize requirements for apprentices and to examine the use of practical tests as a method of assessment in targeted skilled trades. This work would ensure that more apprentices complete their training, and it would encourage mobility, as well. Economic action plan 2013 also proposes to support the use of apprentices through

federal procurement, the investment in affordable housing, and as part of the new building Canada plan for infrastructure.

Third, economic action plan 2013 supports under-represented groups. Aboriginal women, for example, are generally less likely to be part of the paid workforce. They experience lower income levels and have less education than their non-aboriginal counterparts. This situation is likely to increase their vulnerability to violence and abuse.

Economic action plan 2013 proposes \$241 million over five years to improve the on-reserve income assistance program to help ensure that first nations youth can access the skills and training they need to secure employment. The government will continue, with first nations across Canada, on the development of a first nation education act. It is committing to sharing this draft legislation with first nation communities for their input.

Economic action plan 2013 also proposes \$10 million over two years that would provide post-secondary scholarships and bursaries for first nation and Inuit students.

Immigrant women also often face gender-based obstacles to employment, including challenges in foreign credential recognition, resulting in their greater vulnerability to economic insecurity.

• (1835)

[Translation]

Compared with immigrant men, immigrant women in 2009 had lower employment rates, no matter how long they had been in Canada.

[English]

Economic action plan 2013 announced the government's commitment to improving foreign credential recognition for additional target occupations under the pan-Canadian framework for the assessment and recognition of foreign qualifications.

Our actions to increase women's economic prosperity and security do not end there. As members know, Canada's economy is one of the most stable in the world. This provides rich opportunities for the largely untapped potential of women as a well-trained and highly educated sector of Canada's workforce. Canadian women entrepreneurs and small business owners will benefit from the following action. Budget 2013 will expand and extend the temporary hiring credit for small business available to a significant portion of women small business owners. This will encourage small business job-creation and reduce small business costs.

Private Members' Business

The government further proposes to provide \$60 million over five years to help outstanding and high potential incubator and accelerator organizations in Canada expand their services to entrepreneurs. We also propose making available a further \$100 million through the Business Development Bank of Canada to invest in firms graduating from business accelerators.

Budget 2013 proposes to provide \$20 million over three years to help small and medium-sized enterprises access research and business development services at universities, colleges and other non-profit research institutions of their choice.

[Translation]

This will be done through a new pilot program to be delivered through the National Research Council's industrial research assistance program, which will provide women entrepreneurs with greater access to valuable support.

[English]

Rather than relying on one method, as the bill in question proposes, our government has been taking a multifaceted approach to increasing the participation of under-represented groups in the workforce. It is an approach that supports opportunities for every under-represented group in the workforce and that reflects Canada's linguistic and regional diversity.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to lead off the debate for the Liberal caucus and to speak in favour of Bill C-473 at second reading.

Of course, the Liberal Party has a long and well-established reputation as a leader and an advocate for gender equality, as many in this House do, in all areas of society and our parliamentary caucus continues to be committed to this legacy.

On April 17, 1982, Liberal Prime Minister Pierre Elliott Trudeau signed the Canadian Charter of Rights and Freedoms into law and, with it, section 15 took effect. As a result of Mr. Trudeau's quest for a just society, section 15 assured that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination.

So, while the charter-signing ceremony took place under the capital's cloudy skies, its impact was to provide a fledgling ray of sunshine for women and girls struggling against the odds. For the first time in our history, the Constitution of Canada formally recognized that men and women were viewed as equals in every way, under Canada law. However, there was still much yet to be done along the road to full equality for Canadian women. Today, three decades after Mr. Trudeau's historic move, Canadian women and girls continue with their efforts to attain full gender parity.

For most people, myself included, particularly those within the Liberal Party, there is a clear understanding that inclusion promises tangible benefits, both socially and economically, for the nation as a whole. Canada's economy can be strengthened immensely by employing more women and by ensuring their entrance in vocational fields traditionally occupied only by men. That is why I am speaking to this issue today.

Primarily, Bill C-473 proposes to require that the composition of the board of directors of a parent crown corporation shall be such

that the proportion of directors of each gender is not less than 30% the second year, 40% the fourth year, and 50% the sixth year. The legislation does stipulate that the numbers may vary when the board of directors consists of no more than eight members. In these instances, Bill C-473 proposes that the difference between the numbers of directors of each gender may be not greater than two.

Now, these are laudable objectives that I applaud but, prior to committing to support Bill C-473 at all legislative stages, I would like to have a few specific questions answered both here and for discussion at our committee.

First, are the gender breakdown numbers being cited in the legislative preamble accurate, and is there a reason for the current levels?

Second, what would the real world impact be upon business if mandatory quotas of this nature were established with the timelines suggested?

Third, what penalties would be imposed upon non-compliant boards and agencies?

I am a lifelong and strong advocate for gender equality, as are many in the House. However, I believe that the standing committee would be an appropriate venue for us to have a full discussion on the implications of Bill C-473, and I think the appropriate place for that is, of course, with the status of women.

I also have questions that the sponsor may be able to answer. On March 8, 2012, the member for London—Fanshawe introduced Bill C-407. That legislation is nearly identical to Bill C-473, with one notable exception. Bill C-407 would have required that federally regulated boards be made up of at least 40% women. Bill C-473 is premised upon Bill C-407, but the new legislative proposal seeks to elevate the percentage to 50% commencing in the sixth year following the coming into force of the section. I am not suggesting that the change is good or bad, but I would like to know why Bill C-407 and Bill C-473 have proposed different target percentages. I am quite sure that the mover of the bill will be able to explain that further at committee level so that we can have further debate on it at our committee.

There are also considerations on the business side of the equation.

Bill C-473 seeks to rapidly modify the environment in which crown corporations must function. As such, consideration must be given to ensure that both gender equality and corporate success can exist simultaneously under the proposed rules set out in this legislative package.

● (1840)

Perhaps we can all agree that Bill C-473 establishes a legal goal without speaking to the methodology necessary to attain that important goal. As it seems this portion of the discussion has been forgotten or omitted by the sponsor, the Liberals on this side of the House believe it is prudent to explore the issue at committee prior to determining amendments and voting intentions at report stage or third reading in the House of Commons.

Private Members' Business

This is not to say we will lend our support to Bill C-473. In fact, I am asking all members of the House to support it at second reading and to send it to the standing committee so we can explore all of the avenues.

Gender inclusion promises tangible benefits, both socially and economically, for Canada. I am hopeful that Bill C-473 is just one more step along that path. Hope is important because Canada has clearly been slipping as of late.

In October 2012, *The Globe and Mail* reported that when compared globally, Canada had fallen three spots and was no longer in the top 20 nations when it came to those making progress on equality issues. In fact, the World Economic Forum's annual gender gap ranked Canada in the 21st spot, behind the Philippines, Latvia, Cuba and Nicaragua. When the study was first conducted in 2006, Canada was in the 14th place out of 115 countries. That was leadership.

Although Canada landed in the 12th spot regarding economic opportunity for women and girls, with high levels of income, labour market participation and professional workers, it must be noted that wage equality still lags behind international benchmarks.

On April 17, 1982, Canada emerged as a global leader in the fight for gender equality, but in the 31 years since our lustre has been somewhat tarnished. Today, as in 1982, there is much to be done to help Canadian women and girls and that work must begin in earnest.

I thank the sponsor of this bill and I look forward to working with all members of the House and with our status of women committee to thoroughly debate the pros and cons of Bill C-473 that is before us.

• (1845)

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I am very pleased to stand in the House and speak to the important work that my colleague, the member for Charlesbourg—Haute-Saint-Charles, has done to present this private member's bill.

[*Translation*]

I thank the member for the work she has done on this issue and also for her leadership and vision on gender equality. She shows us how to increase management opportunities for women from all walks of life.

Based on the work this member did before being elected to the House and the work she does here, it is evident that her vision is based on experience, including Quebec's experience. She has shown that it is possible for women to have leadership roles in crown corporations.

We can make a change to increase opportunities for women to hold these jobs.

[*English*]

We have seen so many examples of the bar being raised by the many feminist women who have come before us, women who have really changed the quality of life that women and men have in our country.

I want to pick up on one of the important points my colleague raised, which was the argument about how long it will take, if

everything stays the same, for women to play a greater role on corporate boards, on boards of our crown corporations and in the upper echelons of business.

The Conference Board of Canada and others have said that it would take, I believe, 150 years for women to have an equal position at such a level. That is clearly unacceptable. Not only that: the response of the government in failing to provide leadership in this area and using this language about consulting and waiting and trying to figure out some way instead of actually taking direct action on quotas or bold goals when it comes to women on corporate boards is reminiscent of what women have been up against in this country for a long time. Whether it is on the right to vote, on choice, or on pay equity, women have often been told to wait.

The issue here is that through crown corporations, we have an opportunity to effect change and to set the bar high for corporations that are ours as Canadians, corporations that do critical work in terms of basic services or research or foundational work in Canada. We have the opportunity to give leadership to crown corporations and to say that women ought to play an equal role in the management of these corporations.

That is really what we are talking about today, the opportunity to take leadership. Unfortunately, the government has dropped the ball when it comes to women in Canada time and time again.

In fact, today I had the opportunity to be in the Standing Committee on the Status of Women, where we saw the government try to impose paternalistic legislation on indigenous women in Canada through Bill S-2. We saw it some months ago, when members of the government repeatedly wanted to reopen the abortion debate in Canada. We have seen it in the cutbacks to Status of Women Canada and in the elimination of funding for research and advocacy by women's organizations. We have seen it through the removal of the mandatory long form census that provided key research when it comes to women's positions in Canada. Unfortunately, we are seeing the government drop the ball for women once again through its remarks with regard to this bill.

• (1850)

Thankfully there is a chance for them to change their minds on this. We are at second reading. Obviously today there will be some debate and I hope the government will choose to seize this opportunity, be bold and set the bar high like other countries have done.

Often on this side of the House we talk about the equality that women enjoy in Nordic countries. Once again, Nordic countries have beat us to the punch on something as important as the place of women on boards.

Norway was the first country to legislate gender balance on boards of public limited companies with its 2003 gender equality act. That, of course, was 10 years ago. The legislation applies to state-owned companies, and it entered into force in January 2004.

The government had originally tried to negotiate voluntary quotas with the private sector, with an ultimatum that legislative measures would be introduced if the desired gender representation were not attained within two years.

A survey of these companies by Statistics Norway showed by the July 2005 date, only 13% of the companies complied with voluntary quotas, with women representing only 16% of board members. As a result, legislation was applied to public limited companies.

Since its introduction in 2003, the number of women on boards in Norway has reached 40% as required by law.

It can happen. Norway has made it happen as have Spain, France, Iceland, Germany, the Netherlands. In fact, on April 18, just earlier this month, after much debate and even reluctance, Germany legislated a binding quota of 30% women in boardrooms starting in 2020.

These are countries we look to on common issues. Why not on this issue? Other countries have carved the path. Norway, as far back as 10 years ago, set the bar high for all of us. Instead of following suit, Canada is once again not just trailing behind, but actually running backward.

Here we have an opportunity to change that direction, to say that today, and through Bill C-473, we have the opportunity to be leaders. Our hope is that the bill will come into effect, that the government will support it and that crown corporations will be able to show the rest of corporate Canada what it means to have highly qualified, intelligent, competent women working with men of the same calibre to take businesses forward, to take our country forward and really to show that this can happen.

As a young woman, I also want to recognize how important this legislation is to so many young women looking at career opportunities in business, in management, in working in crown corporations. The reality is that the glass ceiling still remains. We see a lot of gains have been made in many workplaces. Women have reached senior management levels in many sectors, but the higher up women go, the power remains with men.

A lot of women my age in my generation know a lot of challenges have been overcome, that change has been made, but they are still seeing that the glass ceiling exists in certain sectors.

This is an opportunity for us as a Parliament to say that we want to change this for young women in Canada. We want to ensure there is a clear message that young women looking ahead have a key role to play at all levels, including the upper echelons of our crown corporations and in the corporate sector.

We believe this is not the time to tell women to wait again. We believe this is not the time to continue the pattern of going backward, as we have seen the Conservative government do when it comes to women's equality in Canada. We believe this is the time for Parliament and the government to stand with the NDP, show leadership and carve out the path for women to be equal in all areas of our society.

•(1855)

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, I appreciate the opportunity to speak about the govern-

Private Members' Business

ment's position on Bill C-473, concerning the balanced representation of men and women on boards of directors of federal crown corporations.

This government wants to see women fully participating, not only in the senior ranks of crown corporations, but also throughout the public service and the private sector.

In a modern, progressive democracy like Canada, women contribute in every respect to corporate enterprises and it has long been acknowledged that the presence of women on corporate boards brings a different perspective and a very important voice to Canadian corporations.

[*Translation*]

It makes perfect sense that increasing opportunities for women to sit on boards of directors would be good for Canadian women, for Canadian companies, as well as for the economy and economic growth. Not only does it make sense, but it is also the right thing to do.

However, we know that, despite the ever-increasing numbers of women with higher levels of education and significant professional experience, they are under-represented on boards of directors and in senior leadership positions in Canada.

[*English*]

That is exactly why we have taken concrete action to change the situation.

On April 5 the Minister for Status of Women announced the launch of the Government of Canada's Advisory Council on Women on Corporate Boards. This advisory panel will include such notable Canadian women as the president of Sun Life Québec, Isabelle Hudon; Venture Communications CEO Arlene Dickinson; former Ontario finance minister Janet Ecker; Canadian Federation of Independent Business chairwoman Catherine Swift; and Senator Linda Frum.

This panel will advise the minister on how industry can increase the number of women on corporate boards. It will also be asked to find the best way to measure the participation of women on boards and in senior management positions and whether the government should be involved. What is more, it will be asked to suggest ways of recognizing or rewarding companies that have met their own targets for increasing the representation of women, and it will report back with its recommendations this fall.

We welcome the minister's announcement. We applaud it because we support equitable representation of women at all levels in the workforce and broader diversity on corporate boards.

[*Translation*]

Of course, as economic action plan 2012 confirms, we have committed to supporting the creation of opportunities not only for women but also for all under-represented labour groups, including visible minorities, aboriginals and people with disabilities.

Private Members' Business

Having said that, Bill C-473 would achieve its objective of enhancing gender balance on boards of directors and in crown corporations through legislated quotas.

• (1900)

[English]

Here are the facts about Bill C-473.

Bill C-473, as proposed, would amend the Financial Administration Act to impose gender quotas for the boards of directors of crown corporations. The rollout would be 30% in the second year, 40% in the fourth year and 50% in the sixth year and onward. For boards of eight members or fewer, the difference between the number of directors of each sex could not be greater than two.

The bill also states that appointments that violate these quotas would be invalid, and the responsible minister, with the approval of the governor in council, would need to fill the position immediately in order to respect quota levels and ensure boards have the required number of members for decision-making purposes.

In addition, we believe Bill C-473, when combined with the existing provisions of the Financial Administration Act, could provide grounds for rendering decisions of boards invalid, with the potential to disrupt crown corporations' operations.

There are a number of problems with legislated quotas. The most obvious is that legislated quotas are rigid and arbitrary thresholds that would negatively affect the appointment process. The appointment process has to remain flexible enough to attract qualified men and women who have the range of skills, expertise and experience needed by the boards of directors to effectively fulfill their mandates. The process also has to be flexible enough to allow us to fulfill our commitments to reflect Canada's linguistic and regional diversity on these boards.

Yes, we want to advance the representation of women on boards, but we are also committed to fair treatment for all under-represented employment equity groups. That includes not only women but also visible minorities, aboriginal people and people with disabilities. Legislated quotas may constrain our ability to meet our goals in these areas.

There is a better way to achieve gender balance on the boards of crown corporations.

[Translation]

Key Canadian groups that promote gender equality on boards of directors—for instance, groups like the Canadian Board Diversity Council, the WXN community, the Institute of Corporate Directors and Catalyst Canada—do not support legislated quotas. I repeat, those groups do not support quotas. They believe that efforts to promote qualified candidates in the business community and to recognize and encourage business leaders are more effective.

[English]

Allow me to reiterate our position in this matter. Women are truly essential to the business success of the country's corporations, in both private and public sectors. That is why, in economic action plan 2012, we created an advisory council to promote and boost the

participation of women on corporate boards in the private and public sectors.

However, in the public sector, legislated quotas are not in the best interests of women or the corporations they would serve. It is always interesting when legislation and private member's bills of this nature come forward and it is clear that the solution that has already been taken by government was voted against by the presenting member.

The Acting Speaker (Mr. Bruce Stanton): Before we resume debate, I would like to let the hon. member for London—Fanshawe know that there are only about five minutes remaining in the time allowed for private member's business, so we will have to interrupt her.

Of course, she will have the remaining time when the House next gets to this business at some point in the future.

• (1905)

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I want to add my voice of support for this legislation and thank its sponsor.

A growing body of research has shown that gender-diverse corporate boards are more effective. They perform better across the widest talent pool, are more responsive to the market and lead to better decision-making. I am sure, Mr. Speaker, that in your own home you have seen that a good decision was probably a balanced decision made with the influence of a woman.

Because women are active participants in the democratic government of the country, both as voters and as politicians, they should have balanced representation in the management of crown corporations. According to reports based on the United Nations Commission on the Status of Women, there is a growing body of evidence demonstrating that investing in women and girls has a multiplier effect on productivity, efficiency and sustained economic growth. According to this information, an investment in women is an investment in Canada's future and will undoubtedly lead to economic growth and prosperity.

To create and maintain gender-diverse corporate boards, every opportunity to recruit new board members must ensure that the appointment process facilitates the consideration of qualified women. It is evident that women are actively involved in the corporate community as business owners, shareholders, executives, managers and employees. They play an equally important role in the marketplace as consumers. Women, however, are not yet equally represented on the boards of directors that make the decisions that impact the lives of these same women.

Although women are excelling and represent 47% of the Canadian labour force, they still represent only 14% of board seats among the 500 largest Canadian companies surveyed in 2010. The same survey also indicated that organizations that have a higher representation of women on their boards have much stronger financial performances.

Going hand in hand with corporate boards is the representation of women in this Parliament, and in any parliament. We women have great ideas and a lot to offer here in Canada and around the world. Yet all too often, women are left out of the decision-making process. Globally, women make up only 20% of elected officials. Only 14 heads of state are women. In 2011, Canadians elected 76 women to Parliament. Now nearly 25% of Canadian MPs are female. However, this is still far from the 30% minimum recommended by the UN as necessary to ensure a critical mass of women able to influence policy and needed change. I suggest that it is important that women be there to influence policy. We do not often see that from the government.

Our Parliament now ranks 45th in the number of women elected to Parliament, behind Rwanda, Iraq and Afghanistan. In Canada, women represent more than half of university graduates and comprise half the workforce. However, statistics indicate that only 25% of Canadian MPs are women, a rate that has changed very little over the last five election cycles. This must change.

We need women in leadership roles, be it in Parliament or on the boards of corporations. It is important to note that many women work in occupations requiring higher levels of education and that provide better levels of pay, but these women are still relatively

Private Members' Business

concentrated in the public service and social services. We need women to contribute their remarkable talents across the job spectrum. We need to encourage women to break the patterns that have been established on boards across this country.

This bill would be a step in the right direction. It is not a new idea. As we have heard, many industrialized countries, such as Switzerland and Norway, have enhanced legislation to achieve greater parity in the corporate world. We should, as Canadians, be added to this list. As others have said, let us move forward instead of allowing the status quo to hold us back.

The Acting Speaker (Mr. Bruce Stanton): The hon. member for London—Fanshawe will have five minutes remaining for her remarks when the House next returns to this question.

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.

The hon. member for Winnipeg North not being present to raise the matter for which adjournment notice has been given, the notice is deemed withdrawn.

The motion that the House do now adjourn is deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:11 p.m.)

CONTENTS

Tuesday, April 23, 2013

ROUTINE PROCEEDINGS

Committees of the House

Citizenship and Immigration

Mr. Tilson 15755

Access to Information, Privacy and Ethics

Mr. Dusseault 15755

Mr. Angus 15755

Navigable Waters Protection Act

Mr. Bevington 15755

Bill C-499. Introduction and first reading 15755

(Motions deemed adopted, bill read the first time and printed) 15755

Petitions

Chief Firearms Officers

Mrs. Gallant 15755

Climate Change

Ms. May 15755

The Environment

Ms. May 15756

Radionuclide Monitoring

Mr. Angus 15756

Rights of the Unborn

Mr. Benoit 15756

Sex Selection

Mr. Benoit 15756

Canada Post

Mr. Masse 15756

Rail Transportation

Mr. Masse 15756

Old Age Security

Mr. Masse 15756

Human Trafficking

Mr. Valeriote 15756

Questions on the Order Paper

Mr. Lukiwski 15756

GOVERNMENT ORDERS

Combating Terrorism Act

Bill S-7. Third reading 15756

Mr. Garrison 15756

Mr. Del Mastro 15759

Mr. Angus 15760

Ms. May 15760

Mr. Morin (Laurentides—Labelle) 15760

Mrs. Sellah 15761

Mr. Carrie 15762

Mr. Giguère 15762

Mr. Nantel 15762

Mr. Giguère 15762

Mr. Angus 15764

Mr. Kellway 15764

Mr. Cotler 15764

Mr. Angus 15766

Mr. Masse 15767

Mr. Sandhu 15767

Mr. Angus 15768

Mr. Hawn 15769

Ms. Michaud 15769

Mr. Giguère 15770

Ms. Ayala 15770

Mr. Jacob 15771

Mr. Angus 15772

Mr. Morin (Laurentides—Labelle) 15772

Mr. Dionne Labelle 15772

Mr. Lamoureux 15774

Mr. Angus 15774

Mr. Nantel 15774

Mr. Angus 15776

Mr. Hyer 15776

Mr. Masse 15777

Mr. Angus 15778

Mr. Morin (Laurentides—Labelle) 15779

Mr. Morin (Laurentides—Labelle) 15779

Ms. Ayala 15780

Mr. Dionne Labelle 15780

Mr. Thibeault 15780

Mr. Lamoureux 15782

Mr. Kellway 15782

Mr. Toone 15782

Mr. Angus 15783

Mr. Hyer 15784

Mr. Nunez-Melo 15784

Mr. Lamoureux 15785

Mr. Dusseault 15785

Mr. Chisholm 15785

STATEMENTS BY MEMBERS

Teen Challenge GTA Women's Centre

Ms. James 15786

Quebec City Artifacts

Ms. Papillon 15786

St. John Ambulance

Mr. Holder 15787

National Victims of Crime Awareness Week

Mr. Scarpaleggia 15787

Sport Matters

Mr. Carmichael 15787

St. John Ambulance

Mr. Harris (St. John's East) 15787

World Catholic Education Day

Ms. Leitch 15787

Canada-U.S. Relations	
Mr. Jean	15788
University of the Third Age in Terrebonne	
Ms. Borg	15788
The Holocaust	
Mr. Adler	15788
National Day of Remembrance and Action on Mass Atrocities	
Mr. Dewar	15788
Nigeria	
Mr. Obhrai	15788
The Holocaust	
Mr. Cotler	15789
The North	
Mr. Leef	15789
International Investment	
Mr. Stewart	15789
The Economy	
Mr. Anders	15789

ORAL QUESTIONS

Public Safety	
Mr. Mulcair	15789
Mr. Harper	15790
The Economy	
Mr. Mulcair	15790
Mr. Harper	15790
Mr. Mulcair	15790
Mr. Harper	15790
Canada-U.S. Relations	
Ms. Nash	15790
Mr. Bernier	15790
Taxation	
Ms. Nash	15790
Mr. Flaherty	15790
Employment	
Mr. Trudeau	15791
Mr. Harper	15791
Mr. Trudeau	15791
Mr. Harper	15791
Mr. Trudeau	15791
Mr. Harper	15791
Taxation	
Mr. Thibeault	15791
Mr. Flaherty	15791
Ms. Papillon	15791
Mr. Flaherty	15792
National Defence	
Ms. Michaud	15792
Mr. MacKay	15792
Mr. Harris (St. John's East)	15792
Mr. MacKay	15792

International Trade	
Mr. Caron	15792
Mr. Fast	15792
Mr. Davies (Vancouver Kingsway)	15792
Mr. Fast	15793
Mr. Davies (Vancouver Kingsway)	15793
Mr. Fast	15793
Government Programs	
Ms. Liu	15793
Mr. Bernier	15793
Mr. Garrison	15793
Mr. Bernier	15793
Employment	
Mr. Hsu	15793
Ms. Finley	15793
Ms. Sgro	15794
Ms. Finley	15794
Mr. Dion	15794
Ms. Finley	15794
The Environment	
Ms. Leslie	15794
Mr. Oliver	15794
Ms. Leslie	15794
Mr. Oliver	15794
Mr. Julian	15794
Mr. Oliver	15795
Mr. Julian	15795
Mr. Kent	15795
Aboriginal Affairs	
Mrs. Block	15795
Ms. Ambrose	15795
Employment Insurance	
Mrs. Day	15795
Ms. Finley	15795
Fisheries and Oceans	
Mr. Chisholm	15795
Mr. Ashfield	15795
Public Works and Government Services Canada	
Mr. Ravignat	15795
Ms. Ambrose	15796
Mr. Ravignat	15796
Ms. Ambrose	15796
Fisheries and Oceans	
Mr. MacAulay	15796
Mr. Ashfield	15796
Justice	
Mr. Cuzner	15796
Mr. Goguen	15796
Agriculture and Agri-Food	
Mr. Allen (Welland)	15796
Mr. Ritz	15797
Ms. Brosseau	15797
Mr. Ritz	15797

Canada-U.S. Relations	
Mrs. Davidson	15797
Mr. Bernier	15797
Foreign Affairs	
Mr. Cotler	15797
Mr. Obhrai	15797
Justice	
Ms. Crowder	15797
Mr. Valcourt	15797
Public Safety	
Mr. Breitzkreuz	15798
Mr. Toews	15798
Canadian Heritage	
Ms. Turmel	15798
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	15798
Citizenship and Immigration	
Mrs. Mourani	15798
Mr. Kenney	15798
Presence in Gallery	
The Speaker	15798
Privilege	
S. O. 31—Speaker's Ruling	
The Speaker	15798

GOVERNMENT ORDERS

Ways and Means	
Motion No. 20	
Mr. Menzies	15801
Motion for concurrence	15801
Motion agreed to	15802
Combating Terrorism Act	
Bill S-7. Third reading	15802
Ms. Boivin	15802
Mr. Lamoureux	15803
Mr. Dusseault	15804
Mr. Choquette	15804
Mr. Dubé	15805

Mr. Lamoureux	15806
Mr. Martin	15806
Mr. Brison	15807
Mr. Rafferty	15808
Mr. Mai	15808
Mr. Dusseault	15809
Mr. Caron	15810
Mr. Dubé	15810
Mr. Lamoureux	15811
Ms. Boivin	15812
Ms. Leslie	15812
Mr. Lamoureux	15813
Mr. Boulerice	15814
Mrs. Hughes	15814
Mr. Boulerice	15816
Mr. Lapointe	15816
Mr. Boulerice	15816
Ms. Turmel	15817
Division on motion deferred	15817
Business of Supply	
Opposition Motion—First Nations, Métis and Inuit	
Motion	15817
Motion negatived	15818
Business of the House	
Mr. Van Loan	15818

PRIVATE MEMBERS' BUSINESS

Financial Administration Act	
Mrs. Day	15818
Bill C-473. Second reading	15818
Ms. Ashton	15821
Ms. Sgro	15821
Mrs. Truppe	15821
Mrs. Ambler	15821
Ms. Sgro	15823
Ms. Ashton	15824
Ms. Bateman	15825
Ms. Mathysen	15826

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>