

*Private Members' Business*

Between 1986 and 1991, Canada has accepted 40,000 immigrants from countries where mutilation is an accepted fact of life. In 1992 alone, 3,245 persons from countries where genital mutilation is tolerated or encouraged have settled in Canada.

As I said earlier, we have been told that little girls are subject to genital mutilation here, in our country. These last few years, health professionals and people working with some cultural communities have been able to confirm this situation. It is hard to put a figure to such a taboo. However, physicians have reported being asked by parents to perform mutilation on their young daughters. Other physicians have had to operate on children to repair the damage caused by such mutilations.

Social workers have been in contact with victims or families of victims who have told them about this practice. Recently, in May 1994, the director of the Ottawa African Resource Centre stated that many African immigrants manage to subject their daughters to mutilation in Canada, despite a directive to the contrary from the College of Physicians of Ontario. He said that families were sending their daughters overseas to be mutilated. We know that several Canadian physicians have been asked to perform genital mutilation. He adds that the fears publicly expressed by a Somalian woman were founded, since the African community checks whether the girls have undergone this operation.

This is a serious issue that calls for action in the name of the moral and human values we share. One of the reasons why no action has been taken against this practice may be the Canadian multiculturalism policy, which has been rejected by Quebec and is highly controversial in English Canada and also among the Liberal members themselves. Some people attribute the lack of legal action to the confusion experienced by social workers, community stakeholders and the police. Others feel that they should respect the traditions of the various groups now living in Canada, since all cultures are equal, whatever their customs.

In the current multiculturalism context, more than a few people are paralyzed by the fear of being labelled as ethnocentric or racist.

• (1810)

Moreover, it would appear that this uncertainty, which is the direct result of the multiculturalism policy, is far from being removed. For example, we recently read in the daily *La Presse* that, because of this policy, Canada was identified by the world Islamic movement as an ideal place for Muslim immigrants to be exempt from the application of civil laws and instead be subjected to the sharia which, as you know, does not respect at all the principle of equality between men and women.

When you read things like that, the feeling of helplessness of social and community stakeholders comes as no surprise. In fact, these workers might be reluctant to sue members of

immigrant families perpetuating the practice of female genital mutilation.

We talked about the Multiculturalism Act. Let us now take a look at the overall legislative framework related to genital mutilation. This is an important issue, because the Minister of Justice refuses to amend the legislation. Currently, there is no legislative provision which expressly prohibits that practice.

However, as the Minister of Justice pointed out, proceedings could be instituted under some sections of the Criminal Code which relate to assault and bodily harm. It should also be mentioned that this practice violates the provincial acts protecting children, various charters of rights and freedoms and international agreements.

Our bill would complement the existing legislation by reinforcing it. As I said at the beginning, the bill is twofold. By adding another provision to the section dealing with dangerous bodily harm, we would officially recognize that this practice is harmful and dangerous to the individual. Also, the operation itself would be criminalized, and a penalty is provided for those directly or indirectly involved in the procedure.

To include that clause in the Criminal Code would leave no doubt as to the legal status of the practice. It would become a criminal act carrying a term of up to five years imprisonment. The members of cultural communities which promote this practice will immediately be informed and warned officially that in our country, genital mutilations are considered mutilations, not just a tradition. There is no reason for us to hesitate about adding a section to the Criminal Code regarding this issue.

In fact, the Code already contains sections prohibiting acts which are foreign to our culture and no one ever formally complained. I cite as examples sections 290 and 293 which prohibit bigamy and polygamy. In my humble opinion, these acts are much less harmful to the health of women, yet they have already found their place in the Code. This refutes, I believe, the minister's argument that we should not unduly encumber the Criminal Code.

Another reason the Minister of Justice says there is no need to act is that charges can already be laid under existing sections in the Code. Theoretically, the minister is correct. However, for the reasons invoked to explain why to this day no lawsuits have been filed, in particular those I mentioned earlier, I am of the opposite opinion and I firmly believe that we must adopt a very precise section which unequivocally sets out the nature of the prohibited act and prohibits participation in such an act.

In addition to this need for judicial precision, adopting a bill would meet another need which the government rarely addresses: defining the social policy of multiculturalism. We must bear in mind that the act is not just applied and interpreted in this House, but well beyond it. Acts are written for the whole public, and the public is feeling the concrete effects of this problem. We have this problem precisely because of the big fuss that our